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40p



Crossing pair: Mrs Halford, left, and Mrs Siddons yesterday after their historic victory in the civil action to name a murderer

Family wins court fight to expose girl's killer

By MICHAEL HORSNELL AND CRAIG SETON

A MOTHER who has spent 13 years trying to bring to justice her daughter's killer won an unprecedented civil case victory in the High Court yesterday when a judge named the man she sued for damages as the murderer.

Mr Justice Roulger ruled in an historic 90-minute judgment that Michael Brookes from Derby, who has never been charged, killed Lynn Siddons, aged 16, in April, 1978 by strangling her. Lynn's body was discovered beside the Trent and Mersey canal in Barrow upon Trent, Derbyshire, with 41 stab wounds.

John Newing, chief constable of Derbyshire, said his force would seek an urgent meeting with the Director of Public Prosecutions to review future police action in the case. He accepted that the court ruling did not reflect well on police investigations which he said had been flawed. Last night the Crown Prosecution Service announced that it would review the case. Mr Newing said the police had no immediate plans to arrest Michael Brookes or to question him, but he said: "With the benefit of hindsight I think he should have been prosecuted. The fact of the matter is that 13 years on he should have been on the charge sheet with his stepson." Brookes's stepson Fitzroy, then 15, was cleared of murder.

Gail Halford, from Derby, mother of the dead girl, said after the case: "I cannot believe it. I am all churched up inside. We would not have had to do this in the first place if the police had done their job properly."

Florence Siddons, her mother who helped lead the campaign, said: "Now I am happy that we will have a conviction. I want to see Michael Brookes put in prison for a very long time."

Jane Deighton, solicitor for the two women, described

police handling of the case as shoddy. "The verdict was inevitable, but it raises serious questions about the administration of justice," Philip Whitehead, who was Labour MP for Derby at the time of the murder, said: "I am delighted. These two women, who have fought so long for this verdict, have changed English law today."

The court will hear evidence on the amount of Mrs Halford's claim for damages for injuries to Lynn that caused the teenager to suffer pain, terror and ultimately death, with consequential economic loss to the estate. At a council estate on the outskirts of Peterborough Michael Brookes was in hiding when the judge made his ruling. From a bedroom window he said: "When my lawyers say I can do it - I will do it. I will come out with the truth and not a load of crap."

Avenging murder, page 3

Treasury advice to wait until spring accepted Major decides against November election

By ROBIN OAKLEY, POLITICAL EDITOR

JOHN Major has decided that there will be no general election in November and he has told senior ministers that he intends to wait until the spring.

Party managers have been ordered to stand down the Conservative Central Office election team from its state of alert.

The prime minister will indicate in the next few days that he intends to be at the Commonwealth Heads of Government meeting in Harare from October 15-22. The visit will be a clear sign to dismiss a November poll.

Mr Major is not planning to

announce formally that next month has been ruled out, but he will reaffirm that he is determined - to attend the European Council meeting in Maastricht in early December, at which ministers will settle the framework for European economic and political integration.

The prime minister, who has told colleagues that he believes the economy will continue to improve throughout the winter, has yielded to Treasury advice that next spring will provide him with a better chance of winning an election. He was anxious to reach a decision before next week's Conservative party conference, so that the subject would not distract representatives and the media from other issues.

Norman Lamont, the Chancellor of the Exchequer, and Chris Patten, the party chairman, have been advising consistently in favour of a spring election, and in spite of his eagerness to win his personal mandate from the electorate, Mr Major has concluded that the option polls do not provide sufficient encouragement for an earlier election.

Four polls at the weekend put Labour and the Conservatives at level pegging. Their average finding, repeated on a uniform swing at a general election, would result in a hung parliament in which the Tories would be 13 seats short of an overall majority.

The decision to rule out the November option was taken at the weekend after Mr Major had spoken to three of the four key party strategists - Mr Patten; John Wakeham, the energy secretary; and Richard Ryder, the chief whip. John MacGregor, the leader of the Commons and the fourth member of the team, was on his way back from Australia.

Mr Major has now told the Chancellor to concentrate on his Budget, normally delivered in mid-March. He believes that the evidence that the country is emerging from

recession will rule out the possibility that a bad set of economic statistics could upset public confidence during the campaign. Other factors that have affected the decision are the fillip the government will receive from pension increases in April, the chance to present another Budget against an improving economic background, and the boost to economic well-being from the number of mortgage holders whose payments are fixed each January.

One senior minister said last night: "The lesson of the polls over a period is that we

at Langbaugh and Kincardine and Deeside and there may be ructions within the party over any deal reached at Maastricht.

Those advising Mr Major have noted with particular pleasure the figures relating to the public's optimism in the economy. So far, with little more than ministerial assertion to demonstrate that the worst of the recession is over, they have shown a dramatic transformation. The figures have changed from minus 46 per cent in September 1990 to plus 13 per cent last month.

Conservative party managers were aware that Labour would focus on the timing of the election at its conference in Brighton this week and the leaking of Mr Major's intentions may have been an attempt to take the wind out of Neil Kinnock's sails before his speech today.

John Smith, the shadow chancellor, told the Labour conference yesterday: "The national interest is now subject to the Conservatives' electoral calculations. And every day longer that John Major delays and postpones the general election is another wasted opportunity to start the investment-led recovery that Britain so desperately needs. Dithering over the election date is damaging the economy."

Mr Kinnock will claim today that Labour is the party to equip Britain to match "the best in Europe". He will say that Conservative policies in recent years have been an aberration from the European mainstream and that Labour's methods are those already proved by Britain's European competitors.

He will pledge that a Labour government will create a strong economy, a fair society and a modern community and he will emphasise that Labour and Conservative approaches to Britain's problems are as divergent as they could be.

Anatole Kaletsky, page 2
Labour in Brighton, page 7



Dumas: wants a return to earlier Luxembourg text

UK still opposes redrafted EC treaty

From GEORGE BROCK IN BRUSSELS

THE latest version of a proposed European Community treaty on deeper political union was on the way to being recast last night. But the likely text will still meet powerful objections from Britain.

EC foreign ministers held their first discussion of a draft treaty prepared by the Dutch government which holds the presidency of the community. A majority of governments have savaged Dutch proposals for wasting time close to the Maastricht summit in December where a treaty on political and monetary union is due to be signed.

Douglas Hurd, the foreign secretary, said that he "regretted the complications" introduced by the Dutch president, describing the text as a "radical rewrite" which reopened many points. "It has pulled us backwards," he said. He suggested that negotiators should "quarry" the text for suggestions while returning to the framework laid down by the Luxembourg government earlier in the year.

A Dutch official said "entire chapters" could be rewritten and denied his government was ignoring previous agreements. But in last night's discussion differences quickly surfaced. Roland Dumas, the French foreign minister, said negotiations should return to the Luxembourg text while

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EC crossroads, page 9
Leading article and letters, page 15

Labour gives pledge not to cut income tax

By OUR POLITICAL EDITOR

LABOUR is to gamble by fighting the next election promising not to cut income tax in its first parliament in power. Instead, John Smith, the shadow chancellor, said that the party will use every penny of extra revenue for investment in health, education and training.

In his party conference speech in Brighton yesterday, Mr Smith spelt out Labour's tax package. He reaffirmed Labour's two firm spending pledges: child benefit will be restored to the £9.55 level it would have reached if not held down by the Conservatives, and retirement pensions will be increased by £8 for married couples and £5 for single pensioners. Labour will also restore the link between pensions and earnings and prices - whichever is the higher.

These increases will be paid for by removing the present £390 a week ceiling on national insurance contributions, and by raising the top rate of income tax from 40 to 50 per cent, in all affecting about three million people. Mr Smith told the conference: "It is simply wrong that people earning more than £390 a week should pay less of their income in national insurance contributions than the vast majority of people who earn below that amount."

He also confirmed Labour's intention of introducing a national minimum wage, set initially at £3.40 an hour. He argued that it would benefit

many women workers and bring Britain up to the level of the other EC countries, ten of which have a minimum wage.

The first call on any resources that extra growth might bring, he said, would be investment in neglected public provision. For that reason "we cannot promise to cut the basic rate of tax". Any Tory promises to do so, he said, would be met only by cutting back essential social spending or by further increasing value-added tax, which it had already more than doubled from 8 to 17.5 per cent. Labour strategists have noted opinion poll evidence that most people would prefer more spending on improving public services to further tax cuts.

Later Mr Smith told a radio programme: "A person on £30,000 a year would not be hit by a 50 per cent rate of tax." But he refused to give further details of tax plans.

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Apology by RUC on killing

By JAMIE DETTMER

ULSTER police admitted yesterday that a teenager shot dead at the weekend by officers had no connections with paramilitary organisations, and apologised to his family. Politicians and religious leaders in the province called for an independent enquiry.

Kevin McGovern, an agriculture student, had failed to obey an order to stop and ignored warning shots fired by officers investigating a bomb alert, the RUC said. The shooting, in Cookstown, Co Tyrone, was "deeply regretted" and an internal enquiry was under way.

Peter Brooke, the Northern Ireland secretary, described the death of Mr McGovern, aged 19, as having "the makings of a tragedy", and called for witnesses to come forward.

Politicians said it had to be determined whether the police had a good reason to shoot. Denis Haughey, the local representative of the nationalist SDLP, said: "The security forces' own rules state they may only open fire if there is good reason to suspect their lives are in danger."

Police apologise, page 2

TODAY IN THE TIMES

HARD TIMES



Wendy Cottee, aged 29, might easily find herself pitted against a senior member of the Bar as she defends a client in the east end of London, yet like thousands of solicitors she is living on the legal aid breadline. Frances Gibb investigates Page 29

UP BEAT



Simon Rattle is in heaven. A new concert hall, a new season and this week the Schoenberg Variations - powerful, claustrophobic music "like having all of Schiele's nudes on your bedroom wall" Page 13

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THE TIMES
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Scoop that earned City thanks for The Times

By NEIL BENNETT
BANKING CORRESPONDENT

CITY scandals come and go, but today sees the 150th anniversary of one of *The Times*'s most renowned investigative scoops in its long history, one that earned it unparalleled gratitude in the City and in banking circles throughout the world.

On October 1, 1841, a group of senior bankers met at the Mansion House to decide how to thank *The Times* for the discovery of a ring of fraudsters in Europe, who could have cost them many thousands of pounds.

The meeting decided to open a fund to repay the heavy legal costs that the newspaper incurred during the affair. The fund eventually raised £2,700, a considerable sum in those days. However, *The Times*, in a leader, said: "Our funds must not be augmented by one farthing. The surest pledge of the continued

independence of the journal is its freedom from all pecuniary obligation." The funds were used instead to create scholarships for the City of London School and Christ's Hospital for boys to go up to Oxford and Cambridge universities.

The story began in May 1840, when a Brussels newspaper ran a small story on the discovery of fraudulent letters of credit. These, only recently introduced, were the forerunners of travellers' cheques. Wealthy bank customers could have them drawn up in England, and present them at banks around Europe to fund trade or travel.

One of *The Times*'s European correspondents, who remained anonymous during the affair, picked up the story, and discovered a ring of forgers who had been trying to pass these false notes throughout Europe. The fraud was

perpetrated by the Marquess de Bourbelle, a Frenchman, and Cunningham Graham, a former MP for Stirling. Together, they had bought a general letter of credit in London from Glyn, Halifax, Mills and Co (now part of the Royal Bank of Scotland).

The two travelled to London, bought a supply of the paper that the letter was written on, and hired a printer to copy it. Graham then copied the signature by hand.

Graham and the marquess then recruited a gang to present the paper to banks in European cities. Among the gang was Allan Bogle, Graham's stepson, a banker from Florence.

The fraud proceeded with mixed success. In some cities, the letters immediately aroused suspicion, but in

Continued on page 20, col 2

TELFORD

CNT

SUCCESS BREEDS SUCCESS

Widely regarded as the birthplace of the Industrial Revolution, Telford is one of Britain's largest and most successful New Towns.

Manufacturing continues to be a strength of Telford's economy and the town is now the home of many Japanese, American and other overseas companies. The commercial sector is also expanding rapidly.

In fact, Telford has become the fastest-growing town in the West Midlands and, according to independent research by the Henley Centre, is one of the most dynamic centres in the UK.

From 1st October, the Commission for the New Towns assumes responsibility for substantial property assets of this exciting location, which include a range of attractive campus sites for industrial and office development.

The success story continues. For further information about Telford's many property opportunities, dial 100 and ask for Freephone CNT Property Centre.

COMMISSION FOR THE NEW TOWNS
PO BOX 178, LONDON, SW15 1BU

The high price top earners would pay for a Labour budget



Smith: surprisingly frank about painful plans

JOHN Smith has often been asked where his new 59 per cent top rate of tax and national insurance would start to bite, and he has just as often refused to answer. But, by taking a step back from the political circus, it is possible to make an informed guess about the minimum cost of a Labour government to the higher paid.

Although the tabloids and the Tories have been focusing on Mr Smith's prevarication about the 50 per cent tax rate, he has actually been amazingly frank about a much more painful commitment. By abolishing the upper earnings limit on national insurance (NI) contributions, Mr Smith will add 9 per cent to the effective tax rate of anyone earning above £20,280.

For a professional or middle manager on £50,000 a year, the net cost of this measure alone would be £2,675 a year or £51 a week. Junior managers on £30,000 would find their spending power reduced by £875 annually or £17 a week.

Beyond these certainties, the best approach is to calculate how much new money Labour would need to meet its firm spending

commitments. Just like John Major, Mr Smith appears to have ruled out extra taxes to pay for health, education and investment. He has made just three firm pledges that would cost big money. He would increase the state pension, at a cost of about £3.1 billion annually, on assumptions made by the Institute of Fiscal Studies. He would raise child benefits, spending about £700

million extra, and he would spend more on training. The training pledges sited from Labour policy statements by Goldman Sachs, the investment bank, would cost £900 million.

In total, therefore, the cast-iron promises on pensions and child benefits would cost £3.8 billion. Include the less definite training plans, and a total of £4.7 billion is reached. Where would this money come from?

The extra NI payments would raise £3 billion in a full year, according to the Institute of Fiscal Studies. This would leave a gap of £1.7 billion with the training pledges, or £800 million without them. Virtually all this money would come from the new 50 per cent tax rate, since Mr Smith's other proposals, including a surcharge on unearned income with lots of exemptions, would produce negligible revenue.

Inland Revenue calculations show that an extra £1.7 billion could be raised if a new 50 per cent tax bracket began at £42,000 of taxable income (about £47,000 gross salary for a married man). If only £800 million of revenue were required, the top bracket could start much higher — around £65,000, according to Peter Spencer of Lehman Brothers, the City investment bank.

Assuming that Mr Smith wanted the full whack, anyone earning less than £47,000 would lose £900 for every £10,000 of income above the present NI earnings limit of £20,280. For someone on £50,000, the last £3,000 of income would fall into the new top tax bracket.

The extra tax would therefore be £2,975 — £300 in income tax plus the £2,675 in NI payments. For a senior executive on £100,000, the extra cost of a Labour government would be about £12,500 annually.

If that sounds horrendous, think back to 1978-79. In the final full year of the last Labour government, the 60 per cent tax bracket began at £12,500. Even allowing for inflation that would be worth just £32,250 today — and there were two more tax brackets and an unearned income surcharge to pay on top.

Labour's tax gamble, page 1
Labour in Brighton, page 7
Red flags in sunset, page 14

Police apologise for shooting of Catholic teenager

By JAMIE DETTMER

THE Royal Ulster Constabulary faced a severe nationalist protest yesterday after the force admitted that a Catholic teenager shot dead at the weekend was guilty only of failing to obey an order to stop and of ignoring warning shots fired by officers.

Soon after the police apologised to the family of the dead teenager, Kevin McGovern, the Northern Ireland secretary, Peter Brooke, said: "We may have the makings of a tragedy." The RUC said that it "deeply regretted" the shooting late on Sunday night in Cookstown, Co Tyrone.

The police absolved Mr McGovern, an agriculture student from the Killybegs area of Fermanagh, of any links with paramilitary organisations.

A police enquiry into the incident, supervised by the

province's Commission for Police Complaints, was launched yesterday. Nationalist politicians and priests, however, called for the shooting to be investigated by senior policemen from outside Ulster.

The incident is likely to be discussed by Mr Brooke during his meeting tonight with Gerry Collins, the Irish foreign affairs minister. The Dublin government has recently expressed concern at the use of "lethal force" by security forces in Northern Ireland.

The brother of the dead teenager said that although he was heartened by the police apology he wanted a "full and open" enquiry. "It will be helpful if the full circumstances were known about why an unarmed teenager ended being shot going from

his local pub to a disco," Dr Sean McGovern said.

According to the police, the incident began when officers responded to a report that an IRA mortar had been placed in a taxi in the Greenvale area of Cookstown. At 11.35pm the officers stopped the taxi, which they believed had been used to transport the mortar.

Shortly after, three young men were seen by police running from the Greenvale estate. According to the police statement, "the men were challenged by police in uniform. They did not stop and were again challenged and warning shots were fired in the air. Two of them men stopped and the third continued."

Mr McGovern, who was followed and, when challenged again, appeared to throw something towards the police. An officer fired and he was fatally wounded.

Yesterday, the East Tyrone brigade of the IRA said that it had aborted a planned attack on security forces in the Cookstown area. Two men arrested after the shooting were still being questioned by police last night. A search of the area by police turned up a helicopter helmet and the remains of a battery pack.

The local representative of the nationalist SDLP, Denis Haughey, accused police of recklessness and said local people were angry about the circumstances of the shooting. "This kind of action frightens people because the police behaved in a way that suggests there was a certain amount of panic. There will have to be a most rigorous enquiry because shooting at a person in such a way is the most drastic action the security forces can take."

William McCrea, the democratic unionist party MP for Mid-Ulster, called on people not to prejudge the incident. He said that the police were always in a difficult position when faced with having to make snap decisions.



Underground argument: Dina Letarte, who said she carried the knife for protection

Knife-wielding woman fined

By PETER VICTOR

AN AMERICAN law student who brandished a penknife at two London Underground workers during an argument on a station platform was fined £500 yesterday.

Dina Letarte, aged 30, who carried the knife to protect herself because she had been raped once and assaulted several times by men in other countries, was also sentenced to a month's imprisonment, suspended for two years. She

broke down as Judge Denis Lloyd told her: "You had a knife on you, it was open and you were in a thoroughly hysterical state. Goodness knows what could happen if people like you walked around carrying knives all the time." He warned her that if she ever visited Britain again with a knife in her possession "you will go to prison".

Phoenix, Arizona, who admitted carrying an offensive weapon, took the penknife out during an argument at Bank station last November. She had been visiting a boyfriend and friends.

She claimed that the Underground workers had tried to attack her, one poking her in the eye and the other hitting one of her friends. The two Underground workers had cuts to arms and neck.

LSE hotel plan for County Hall swap

By JOHN O'LEARY
HIGHER EDUCATION
CORRESPONDENT

THE London School of Economics would be demolished and turned into a luxury hotel if the school carries off a property swap enabling it to move into County Hall, the former headquarters of Greater London Council.

The decision by Michael Heseltine, the environment secretary, to grant planning permission for a hotel and leisure complex on the County Hall site was thought to have killed off the LSE's interest. John Ashworth, the director, said yesterday, however: "Our bid is very much alive and kicking."

The school is commissioning a full valuation of its Houghton Street premises, and has submitted a planning application for County Hall to Lambeth council, which opposes the riverside hotel scheme.

Dr Ashworth said: "The existing County Hall would be left untouched, as opposed to the massive reconstruction required by a hotel development. That keeps us very much in line with the requirements of the South Bank conservation area."

He claimed that the school's premises near Covent Garden and West End theatres were more suitable for a hotel than the riverside County Hall buildings, which would require extensive conversion.

Sir Allen Sheppard, chairman and chief executive of Grand Metropolitan and an LSE governor, said: "Grand Met is no longer in the hotel business, but if it were, my vote for sitting a five-star hotel would go to the Houghton Street site."

The LSE's persistence has caused intense irritation in the London Residuary Body, which is charged with disposing of the site. Sir Godfrey Taylor, its chairman, said that he doubted whether the LSE's site was worth enough to fund a competitive bid for County Hall. "If they haven't got the money, then what are they playing at?"

Redesign planned for danger estate

Ministers are considering a plan to allow tenants living on one of London's most dangerous council estates to take charge of a multi-million-pound renovation of their homes (Douglas Broom writes).

Sir George Young, the housing minister, said yesterday that he was holding talks with tenants on the Stonebridge Park estate at Harlesden, northwest London, about setting up a housing action trust to transform the estate.

Brent council, which owns the high-rise estate, says that £200 million would be needed to pull down the deck-access blocks and replace them with two-storey houses and flats. The estate is similar in design to Broadwater Farm at Tottenham, where PC Keith Blakelock was killed at the height of a riot in 1985. The police say that it is a haven for drug dealers and describe it as "the perfect fortress".

Sir George said that if the trust were set up tenants would play a leading role on the board of management, which would oversee the transition from a dangerous crime-ridden estate to a place where people wanted to live.

He also published the findings of an interim report on the government's £268 million-a-year Estate Action programme. The Meadow Well estate, North Shields, scene of riots last month, will receive help under the programme.

Case begins against MP

Committal proceedings expected to last up to four weeks began at Bow Street magistrates' court yesterday against Harry Greenway, Conservative MP for Ealing North, on corruption charges.

Mr Greenway, aged 56, is accused of accepting gifts from Norbert Jurasek, Michael John Brooks and Plisser Railway Machinery GB Ltd for trying to influence appointment of a British Rail chairman and backing a nationality request. Plisser, Mr Brooks, aged 62, its secretary, and Mr Jurasek, 49, managing director of its British subsidiary, are accused of offering gifts. David Stewart Currie, aged 64, former BR civil engineering director, is accused of corruptly accepting gifts. The hearing continues today.

Dublin remand

An Irish policeman charged under the republic's Official Secrets Act yesterday failed to win bail at the special criminal court in Dublin. Dennis Kelly, aged 28, from Mallow, Co Cork, was charged on Sunday with passing on information about police operations. The hearing was adjourned until tomorrow after an uncle of Kelly failed to appear to stand as a surety.

Print merger

The National Graphical Association and Sogat, the Society of Graphical and Allied Trades, merged yesterday to become the eighth largest union affiliated to the TUC. The Graphical, Paper and Media Union, which has 300,000 members, is led by Tony Dubbins, the NGA chief, who narrowly defeated Brenda Dean, the Sogat leader, in the ballot for general secretary.

MP hit by car

Dale Campbell-Savours, MP for Worthing, addressed a Labour party meeting at Kendal, Cumbria, after being cut and bruised in a hit-and-run accident, his wife said yesterday. Gudrun Campbell-Savours said that her husband was on his way to address the meeting on Saturday when a car mounted the pavement and dragged him along for several yards. The driver did not stop.

Tenders out soon for prisoner escorts

By STEWART TENDLER, CRIME CORRESPONDENT

PRIVATE security companies will be asked by the Home Office later this month to tender for contracts to supply guards escorting remand prisoners to and from courts in three regions of the country. The first contract could be issued in the new year and start in the autumn of 1992.

Under the Home Office plan, companies will be asked to tender for escort duties covering prisoners in South Wales and the South-West, southeast London and the South-East, and Humber and the east Midlands. The companies winning the contracts, which might be for four or five years, escort prisoners to and from courts and also within the courts. They would not have responsibility for high security prisoners. Senior police are likely to welcome a development which will free staff. Many officers are seconded to prisoner duties and some forces have staff permanently allocated. The 1990 annual report for the Metropolitan police showed 465 police attached to 61 crown and magistrates' courts in London and 55 others attached to magistrates' courts for prisoner security work. Sir Peter Imbert, the force's commissioner, said in the report that he welcomed moves towards privatisation.

The final outline of the tendering proposals is being completed as the Association of Chief Police Officers meets this week in Preston to discuss the implications of privatisation moves, including prison escort contracts.

Sport drink shakes off challenge

The makers of Lucozade have defeated a legal challenge by trading standards officers and, as Peter Victor writes, the win will help to nourish a £20 million industry in isotonic drinks

A CLAIM by consumer watchdogs that cans of Lucozade Sport isotonic drink were incorrectly labelled was dismissed by magistrates yesterday.

Warwickshire county council trading standards department alleged that the drink, which is promoted in TV commercials by the England football star John Barnes, breached the 1984 Food Labelling Regulations. But the magistrates at Rugby decided council officers failed to follow proper procedures when they arranged to test some sample cans, not all of them.

The council claimed the phrase "supplying fluid to fight dehydration, minerals and glucose energy to help nourish muscles", which appears on the labelling, was contrary to regulations. They said the drink contained less than one-sixth of the daily recommended amount of two or more specified minerals required.

The Beecham Group, of Brentford, west London, denied the offence, which related to the purchase of a sample batch of cans of the drink from a Sainsbury's supermarket in Rugby last November. David Latham, for the council, alleged that the manufacturers had made claims about the mineral properties of the drink which they were not entitled to make.

David Petford, a former public health analyst, who carried out tests on the drink, said someone would have to

consume 20 cans to achieve the one-sixth of the recommended daily intake of iron and between five and six cans in respect of calcium. Costs were awarded against the local authority.

The case highlighted the remarkable isotonic drinks market, now worth £20 million, which was started by Smithkline Beecham when they took Lucozade off the hospital bedside table and into the athlete's changing room. Sales of Lucozade Sport last year made up 75 per cent of this market.

Developed in 1927 by W W Hunter in Newcastle upon Tyne, glucose-based Lucozade in its traditional bottle wrapped in yellow cellophane was a staple for the convalescent, along with grapes and chocolates. By 1979, now part of the Beecham empire, sales of the rust coloured fluid were worth £15 million.

By adding orange barley and lemon barley variants the firm was able to repackage the drink and aim it at a different market. A diet variety, Lucozade Light, appealed to those who found the other flavours too sweet. Total sales last year were worth £127 million. Public perception of the drink

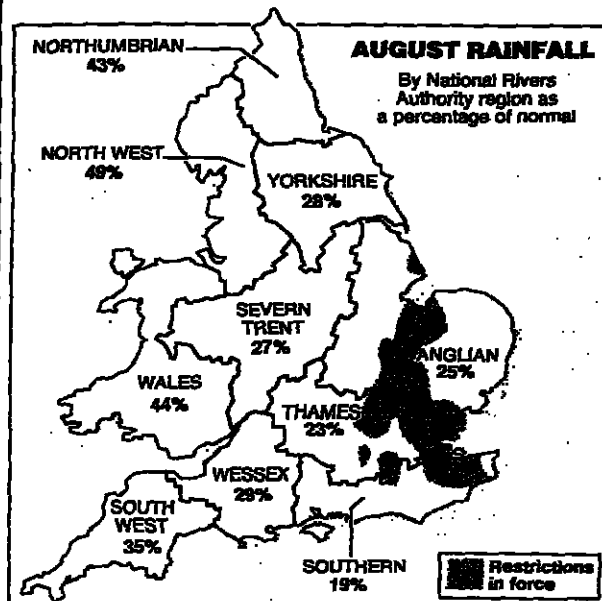
profiles although popular in sports clubs. Pripps, produced by Glasgow-based A G Barr, the makers of Ir-Bru, has a slightly higher profile by virtue of some unusual magazine advertisements.

Isotonic drinks can be beneficial for athletes involved in endurance events such as marathon running and long distance cycling. Dan Pedoe, medical director of the London Marathon and chairman of the British Association of Sport and Medicine, said:

"The drinks, which use a form of carbohydrate half-way between sugar and starch, are designed to get fluids and sugars rapidly into the blood stream, which is important when people are severely dehydrated and in need of energy. The benefits of these specially formulated and relatively high priced drinks are, however, more dubious for day-to-day sports such as soccer, squash and tennis."

People wanting to replace energy and fluids after these kinds of sports might just as well take a few teaspoons of sugar in a glass of water as buy an isotonic drink believes Dr Pedoe.

Dr Pedoe said that before the arrival of these commercially formulated drinks, athletes involved in endurance events would devise their own drinks. "They (the drinks companies) are trying to promote the wider use of isotonic drinks but they are irrelevant for many events."



Heavy rain fails to end water shortage

By BILL FROST

HEAVY rain over the weekend has done little to replenish water supplies, which have shrunk to low levels in the Thames, Anglian and Southern authority regions.

Restrictions on use, such as hosepipe bans, car washing and the watering of parks, are likely to remain in force across the three regions well into the winter after one of the driest autumns this century.

Southern Water, where rainfall was down to 19 per cent of normal, has also expressed concern about underground supplies. Aquifer levels have not been

replenished as the dry spell persisted. What little spring and early summer rain fell was either used by plant life or lost in evaporation.

Anglian Water required 4 in of rainfall by the end of August to begin the restoration of levels in the region, but only 1 in of rain fell. The agriculture ministry has set up an emergency service for farmers in the region, with bowlers taking supplies of fresh water to dairy herds.

The National Rivers Authority said months of persistent rain was required to ease the drought.

Leading article, page 15

Bentley's purchase diamonds

They would be pleased to purchase your diamonds and jewellery at 65 New Bond St. London W1 071-629 0651

Top fashion designer says trusted friend stole £25,000

By A STAFF REPORTER

LINDKA Cierach, who designed the Duchess of York's wedding dress, told a court yesterday that her close friend and trusted assistant stole nearly £25,000 in luxury clothes and cheques.

She said that she discovered on her return from a holiday in Italy that nearly £10,000 in cheques had been stolen. She confronted her friend, Suzannah Jackson, aged 31, who allegedly confessed to the theft. When police searched Miss Jackson's flat in South Kensington, London, they found stolen designer clothing worth nearly £15,000.

Miss Jackson denies nine charges of theft. Miss Cierach told Southwark crown court that she met Miss Jackson through friends in February 1990 and took her on as a secretary at Lindka Cierach Ltd. She said Miss Jackson acted as her personal assistant and soon took over nearly all financial management matters.

Miss Jackson's starting salary was £13,000, but Miss Cierach gave her four or five of her designer suits as gifts. Miss Cierach said that in December last year she went to Italy and returned just before Christmas, when the company was moving to new premises. She discovered that, for the first time in the company's 13-year existence, cheques began to bounce.

She told the court: "I was very scared. I couldn't under-

stand it. I had never had a bounced cheque in my business before that. Thereafter, there were many more."

She said that before leaving for Italy she had signed ten blank cheques. She discovered that Miss Jackson had stolen three cheques, totalling £8,500, to buy a car and had stolen a £1,280 cheque to pay for rent on her flat.

Miss Cierach said that she had been in Miss Jackson's new car many times but that she thought she had bought it with a bank loan. "Suzannah had very kindly picked me up from the airport in her car and told me about it," she said. "I had been in the car many times. Suzannah and I were very good friends and very close. She spent much time in my company."

On December 28, she confronted Miss Jackson, who allegedly signed a statement admitting that she had taken the cheques and that she would repay the balance as soon as possible after selling the car. The statement allegedly said: "I have resigned from the company as of today and will not say anything to badmouth Lindka in business or personally. I will not contact any of her clients. If anything else is found, I will take full responsibility."

The jury was shown more than two dozen items of Cierach designer clothes that Miss Jackson allegedly stole. The clothes were shown to Miss Cierach, who told the court of their prices. They included a £2,800 black velvet evening dress, a £2,500 bronze and gold evening dress, two £1,500 velvet jackets, several suits worth £900, and jackets, blouses, skirts and bustiers.

Miss Cierach said that the £2,500 evening dress had been lent to Miss Jackson for a ball in November but had never been returned. Two bustiers, a pleated skirt, a blouse and a white jacket worth nearly £1,500 pawns had been lent for a weekend racing event at Goodwood. The trial continues today.



Cierach: claims Jackson confessed to thefts

Halford case marks change in public opinion

Refusal to take no for answer from the DPP

By FRANCES GIBB, LEGAL AFFAIRS CORRESPONDENT

GAIL Halford's civil action breaks new legal ground in that it is thought to be the first time damages have been claimed for a murder of which no one had been convicted.

It is also the most spectacular example of a series of actions brought by victims of crime who have tried to secure justice through the civil courts, and lawyers predicted that it would lead to more such actions.

Carol Harlow, professor of law at the London School of Economics, said: "To my knowledge, this is the first case in modern years in which somebody has tried this way round a failure to prosecute for murder."

However, there have been a number of cases, particularly those brought by women in rape actions, claiming civil damages: in one, in 1988, after the Director of Public Prosecutions ruled there was insufficient evidence for a criminal prosecution, a woman, aged 27, sued a physiotherapist for rape and won £25,108 damages. The Court of Appeal, however, overturned the award a year later, ruling the hearing had not been fair.

The rise of civil actions stems partly from discontent

with what is seen as the authorities' failure to prosecute. Professor Harlow added that a climate of public opinion was developing in which there was a "refusal to take no for an answer". "There are plaintiffs' lawyers and they will try absolutely every route."

By suing in the civil courts, the plaintiff has the advantage of a lower standard of proof than in the criminal courts: the balance of probabilities, which is applied by a judge, rather than the criminal test of "beyond reasonable doubt", which is applied by a jury. Nor, as with private prosecutions in the criminal courts, can the DPP step in and halt the proceedings.

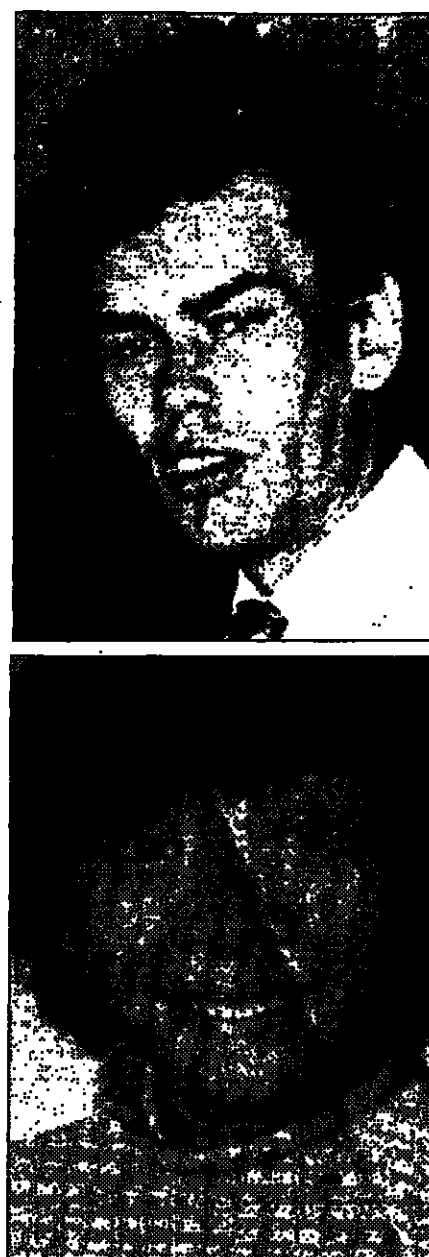
However, in the Halford case, Mr Justice Rousier took the unusual step of specifying that he had adopted the stiffer criminal burden of proof, thus paving the way, lawyers believe, for criminal charges to be brought. Lawyers see a number of problems with victims taking the civil route, in addition to the very real possibility of failure. The plaintiff is not given the same protection as in the criminal courts, so a rape victim seeking damages will not have the benefit of anonymity.

Professor Harlow said: "It can be a very disturbing experience for a person being in a civil action; it can result in their receiving hate mail, or even being put out of business." When a civil action failed "it is then very questionable who the victim really is."

The problem at present is that decisions by the DPP not to prosecute are not subject to challenge in the courts through judicial review. A number of lawyers now believe they should be. "Judicial hearings are less costly for the applicant and avoid all the publicity of a full-scale trial," Professor Harlow said. "That may be the way forward."



Case history: left, Lynn Siddons, the murdered girl; top, Michael Brookes, judged in the High Court yesterday to be Lynn's murderer; above, Brookes's stepson Fitzroy, when he was 13, who gave evidence for Mrs Halford



Thirteen-year battle to avenge a murder

By RONALD FAUX

THE determination of a grandmother and her daughter to bring a murderer to justice was rewarded yesterday in the High Court. The ruling by Mr Justice Rousier that Lynn Siddons, aged 16, of Derby, was murdered 13 years ago by Michael Brookes, a man who has never been charged with the killing, took the complex case an important step towards its end.

Lynn's body was found

near her home in April 1978. She had been stabbed 41 times and asphyxiated. Michael Brookes's stepson, Fitzroy, aged 16 at the time, was charged with murder and found not guilty at his trial in Nottingham in 1978. Last July he was subpoenaed to give evidence for Mrs Gail Halford, Lynn's mother, when she brought an action for damages against him and his stepfather, both of whom she alleged were responsible for the murder.

The case made legal his-

tory as the first civil action in which damages were claimed for a murder for which nobody has been convicted. But Mrs Halford, aged 46, and Mrs Flo Siddons, aged 77, of Alvaston, Derby, have always insisted upon the civil action to settle the responsibility for Lynn's death on Michael Brookes and of putting pressure on the Director of Public Prosecutions to bring charges.

"It was the only way we could bring this man to justice," Mrs Halford said

before the High Court hearing. Mrs Siddons added: "All we want is to see the man who murdered Lynn brought to account. We were not prepared to see someone who had done this dreadful thing to her go free."

At first Fitzroy Brookes admitted he had attacked Lynn but claimed he had acted alone. It was not until after his trial had opened that he changed his story, accusing his stepfather of the murder. Michael Brookes has always denied complicity.

He changed his name and moved to a new address, relentlessly pursued by Lynn's mother and grandmother. They have campaigned against him for 13 years, and produced posters demanding his arrest.

With all the officers on the original case no longer in police service and the trail of clues cold, Lynn's family felt they had a daunting struggle to close the case, which Derbyshire police say remains open with inquiries continuing.

Alert on lost runner delayed for four hours, inquest told

POLICE were not alerted for more than four hours after a woman athlete became lost in bad weather during a cross-country race, an inquest was told yesterday.

Carol Matthews, aged 41, a mother of two, was eventually found dead the next day about a mile off-course near the 2,907ft peak of Pen y Fan, in the Brecon Beacons, where the race took place in April. Mrs Matthews, a school laboratory technician, of Llantwit Major, South Glamorgan, was among 140 runners in the race around seven remote reservoirs.

Richard Davies, of the Dolygaer outdoor pursuit centre, the race organisers'

headquarters, said that the weather was cold and wet, with a blustery wind. Several runners had become lost for a time due to poor visibility. Competitors had described conditions as "anything from bad to appalling".

Mr Davies told the Brecon inquest that an official of Welsh Water, which sponsored the race, failed to alert police until about four-and-a-half hours after Mrs Matthews was due at a checkpoint. Meanwhile, the weather had deteriorated, and by the time police were brought in only two or three hours of daylight remained.

Dr Robert Ryder, a patholo-

gist, said that Mrs Matthews had died from hypothermia due to exposure. He said that she had suffered heart failure.

The race's organiser, John Brooks, a journalist and a member of the Mountain Men of South Wales, a leading fell-running club, said that it was the first mountain race of which he had been in charge, although he had organised other running events. Twenty teams of seven ran a 43-mile relay course for the event, which was the first Brecon Beacons race.

The inquest was told that Mrs Matthews was wearing only shorts and running vest. Mr Brooks said that he had been unaware of the Fall Runners' Association code, which calls for use of waterproof kagouls, over-trousers and a map and compass in bad weather, but he felt that he had covered its main points.

Robert Thomas, head of the Morlais mountain rescue team, said that his men had not been alerted to search for Mrs Matthews until 5.30pm. She had set off at 12.40pm and should have arrived at 2pm. The weather had become so bad that a search dog and its handlers had been blown off their feet. "We were not provided with an accurate plan of the race route," he added.

The hearing continues today.

Peer pleads for village ponds

By JOHN SHAW

AN URGENT plea for the village pond and stream, exploited by development and agricultural irrigation, was made by Lord Buxton of Alca, the veteran environmentalist, in Cambridge yesterday.

Streams were being deprived of their existence by wastage in dilapidated water supply systems and the issuing of licences to pump from rivers, he told an environmental conference on drought in East Anglia.

The National Rivers Authority often issued licences on the basis of outdated measurements and statistics, he said. The only way to solve the problem was for parliament to withdraw all licences, estimated at between 50,000 to 70,000, and for the authority "to start again with a clean slate and issue them only in accordance with today's priorities and viability".

In considering planning proposals, there was no visible evidence that local authorities thought much about water, yet it should be the fundamental key to all applications, and the NRA should have the power of veto, he said.

Lord Buxton is best known as founder of Anglia Television's natural history programme *Survival*.

Defence 'perjury' enquiry

SCOTLAND Yard's serious crimes branch is to investigate allegations of perjury by two defence ministry officials during an arbitration case after a lengthy dispute between the ministry and a small defence company (Michael Evans writes).

Scotland Yard said yesterday that it had consulted the Crown Prosecution Service over allegations by J N Electronic Supplies, of south London, and had decided to make further enquiries. The allegations were made

after a tribunal hearing last year, in which the company was awarded £75,000. The dispute with the ministry was over allegedly faulty design drawings for spare parts for tanks. Two ministry officials gave evidence to the hearing.

The company, which relied on ministry contracts, failed to win additional damages after claiming to have been unfairly struck off a list of suppliers. The company is now facing bankruptcy. The ministry declined to comment yesterday.

American scrabbles to supremacy

By ROBIN YOUNG

PETER Morris, a graduate of English literature from Michigan University, could be forgiven for treating himself to a night on the tiles in London last night. He had just become the world's first champion of Scrabble.

Mr Morris, who is 29, defeated his fellow American, Brian Cappelleto, by four points in a tense final at the end of four days' play between 48 world masters. His winning move was to lay down his last three tiles to form the word *REV*, scoring 29 points to give him 371, against Mr Cappelleto's finishing 367. Mr Morris had also achieved the highest score with any single word in the final match, notching up 86 for laying down *ANHALER*.

Mr Cappelleto, though, had the consolation that to him went the honour of the highest single score in the whole

championships, an impressive 176 for producing the word *GOLDFISH*. Britain's team in the championships, in which players from 20 different countries participated, had appeared a strong one, but our current national champion, Phil Appleby, of Leamington Spa, went out in the very first round, and only three Britons survived to the last 16.

One of them was Peter Finley from Sunderland, a reserve who was only invited to play because a Nigerian contestant failed to appear. In the end the best placed Briton was Joyce Canfield, a compiler of crosswords for *The Times* who lives in Yorkshire. She finished sixth. Mr Morris won a prize of \$10,000 (£6,000) and received a championship bowl of appropriately engraved Royal Doulton crystal and a leather-bound, gold-blocked edition of *Cham-*

bers *English Dictionary*. Scrabble is the world's most popular word game, invented in the 1930s by an American, Alfred Butts. Those who play it are known to include Sophia Loren, Joan Collins, Michael Jackson, the rock group Queen, and the Queen Mother. However, none of them plays at the sort of championship standard which produces scores like the record 392 which Dr Karl Khoshnaw achieved in the UK national championships for CAZQUES, which is the plural of boss in the West Indies.

Ray Perry, marketing director of Spear's Games, the organisers of the event, said it is hoped that the Americans as title holders will now hold another world championship in two years' time. Britons, meanwhile, will be scrabbling about furiously to improve their standard of play.

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Evangelicals launch battle to close church door on rival faiths

By RUTH GLEDHILL, RELIGIOUS AFFAIRS CORRESPONDENT

SENIOR evangelicals in the Church of England are planning a campaign against worship and prayer with people of other faiths. The drive includes letters to 11,000 clergymen.

The evangelicals argue that all people, including Jews, Muslims and Hindus, should be evangelised with the aim of conversion to Christianity. The £8,000 campaign, which will be launched next month with advertisements in the *Church Times*, will include a lobby of bishops and general synod members to urge them to put an end to inter-faith prayer and worship.

The move has been condemned by leaders of other faiths, and by Church of England bishops who have spent decades building bridges between faiths. The Bishop of Stepney, the Right Rev James Thompson, co-chairman of the Interfaith Network, said the campaign was a "blow against conciliation and hope for our multi-faith society". According to the Council of Christians and Jews, the promotion of evangelism must be seen "against the background of centuries of enforced conversion and persecution of Jews by Christians".

The campaign comes at a time of increasing inter-faith tension, as groups such as Jews for Jesus target young and vulnerable Jews for conversion. The Church of England and the Roman Catholic church have repeatedly assured the Jewish community that it is not a specific target.

What makes the latest campaign particularly disturbing is its bedrock of support in the church. The evangelicals are concerned about the growing concurrence that all paths lead to God.

The new Open Letter Group, which counts leading Anglo-Catholics among its supporters, is proceeding with the campaign, despite the opposition of the Archbishop of Canterbury, George Carey, who wrote to warn the group that its actions could be unhelpful to evangelism.

The group insists that the message that Jesus Christ is "the only saviour and hope of mankind" should be clearly proclaimed to all, including people of other faiths, "with the intention that they should come to faith in him for salvation".

More than 600 clergy have pledged support for the letter, which criticises inter-faith worship such as the Commonwealth Day Observance in Westminster Abbey, and appeals to church leaders to oppose and prevent such gatherings. Signatories include Sir Timothy Hore, chairman of the London diocesan synod; Mark Birchall, chairman of the synod's evangelical group; Lord Brentford, president of the Church Society; the Ven Peter Dawson, Archdeacon of Norfolk; the Rev Peter Geldard, chairman of the synod's Catholic group; John Martin, editor of *The Church of England Newspaper*; and the Ven Ernest Stroud, Archdeacon of Colchester.

Fr Geldard singled out a service in his diocese of Canterbury for criticism. In

September 1989, a service at the cathedral included the line: "The trees have power. We worship them... Yano-mamo." Fr Geldard said: "Either words do not mean what they say, or they were being asked to do something they ought not to be doing. There is a positive and negative aspect of inter-faith dialogue. We ought to clarify this and be honest about it."

Dr Zaki Badawi, chairman of the Imams and Mosques Council of the UK, and principal of Muslim College, criticised the group for prejudice and exclusiveness, and warned of division. "It is possible to have an act of worship that is universal. I hope these people will reconsider their views. This will rebound on them."

Sir Sigmund Sternberg, a leading member of the Jewish community, said: "Our concern must be to get people to a place of worship, to give young people an interest in life."



New order: Lieutenant-Colonel Lois Lodge, aged 38, who yesterday took over 24 Airborne Field Ambulance of the RAMC, Britain's first woman regular CO

Carey visits scenes of Tyneside riots

By PETER DAVENPORT

THE Archbishop of Canterbury, criticised for his comments on the causes of the Tyneside riots, paid a visit yesterday to the housing estate where the three nights of violence began. He said that nothing he had seen there had changed his mind.

Dr George Carey visited the Meadow Well estate, North Shields, and parts of Newcastle upon Tyne that suffered street violence last month. He had been invited by the Right Rev Alexander Graham, the Bishop of Newcastle, and local clergy.

Dr Carey's view that the violence was linked to social deprivation, illiteracy and poor housing was rejected by government ministers, the retiring chief constable of Northumbria, Sir Stanley Bailey, and the Rev George Curry, vicar of Elswick, one of the areas hit by rioting. Yesterday, however, the archbishop said: "I don't regret making any statements and nothing I have seen has changed my mind."

In his comments on the disturbances three weeks ago, Dr Carey said: "The events we saw on our television of the riots in Newcastle occurred

where people were socially deprived." Government ministers and police, however, blamed criminal elements, the collapse of parental authority, and the success of a police campaign against car crime. Some of the rioters said that they were acting out of revenge for the deaths of two joyriders who crashed while being pursued by police.

During his visit yesterday, the archbishop met residents of the Meadow Well estate, one of whom, Margaret Nolan, said later: "The sort of message we gave him was that we don't condone what happened, but we think it's equally unjust that the lives of young people here are wasting away because there is no work."

Meanwhile, the new chief constable of Northumbria, John Stevens, expressed hope that public revulsion at the riots could prove to be a turning point. On his first day in charge of the force, the former deputy chief constable of Cambridgeshire said: "We police in difficult times. There may be links between social deprivation and criminality but I hope that positive things may come out of the unrest on Tyneside and elsewhere."

Appeal for daughters dismissed

The appeal court yesterday upheld a decision to keep in care the daughters of a woman who kept open house for teenage truants and fed live gerbils to a python in front of the girls.

The High Court ordered earlier this year that the girls, aged ten, seven and four, should remain in care.

The two older girls are to undergo psychiatric assessments and possible psychiatric treatment. The younger girl is to be kept in care and placed with long-term foster parents, with a view to future adoption.

The mother had a history of drug abuse, the appeal court judges said. Teenage truants from the area of Essex where she and her second husband lived visited their house regularly. She had a 4ft pet python which she fed with live gerbils. Horror videos and pornographic books were readily available at the house.

Dismissing an attempt by the woman to win back her children, Lord Justice Butler-Sloss, sitting with Lord Justice Neill and Sir Rouseley Cumming-Bruce, said the risks were too great.

The woman has been married twice, has had four live-in relationships, undergone two abortions and been involved in drug abuse and marital violence. She has now left Essex and is living with another man.

Railways subsidy ensured

By KERRY GILL

MALCOLM Rifkind, the transport secretary, yesterday reinforced the government's commitment to give financial support to unprofitable railway lines after the introduction of its privatisation programme.

He said the government would continue to subsidise smaller rural and suburban lines that provided a "crucial social service" but could never hope to be profitable.

As Mr Rifkind sampled breakfast on the first regular Pullman train for more than 20 years, scheduled to travel from Edinburgh to King's Cross in under four hours, he said that the government wanted to see a substantial part of British Rail privatised in the next parliament. It was, he said, important that British Rail should pay its way, providing transport in a tough world where the airlines and others were offering alternatives.

The launch yesterday of a new Edinburgh-London timetable was part of InterCity's determination to meet the threat from the airlines head-on, and Mr Rifkind said that the new fast service would help business in Scotland and attract investment. The first train, however, failed to complete the 394-mile journey in less than four hours.

Driver sees glory at end of tunnel

By LIN JENKINS

TALES of the golden age of railways have held a fascination for Nigel Brown since he was regaled with stories of his great grandfather, who drove the Golden Arrow boat trains in the days of steam.

So he feels it is fitting that three generations later he should be among the first men chosen to drive the supertrains through the Channel tunnel. "The image of train travel in those days is very romantic. This new service where you can go from London to Paris in three hours on the one train will restore some of that, although in a highly technical environment," said Mr Brown.

His great grandfather, Walter Bax, retired from the railway in 1949 and, unlike Mr Brown, had to leave his passengers on the doorstep passengers on the doorstep of his adventure at the ferry ports. "We will be the first truly international service whereby we cross borders and keep going. Nor-

mally, rail services cease shortly after they cross from one country to another," he said.

For that reason he, and the other 11 drivers initially recruited to commission the new trains and coach other drivers, will spend a year training, learning French and the rules and regulations of the two continental systems, the SNCF in France and the SNCB in Belgium. They also have to learn about the two new trains, which will operate on the routes to Paris and Brussels.

Mr Brown, aged 34, who lives with his wife Elizabeth and three sons at Albrighton, West Midlands, worked for 17 years for British Rail, latterly driving local and InterCity trains out of Birmingham.

"I have always liked trains. Even as a child I was fascinated and liked to travel, although I was never one of the anorak brigade sitting at the end of platforms spotting."

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THE SERIOUS ALTERNATIVE

Controversy grows over sale of £7m Nadir estate

By Marcus Binney

CONTROVERSY is growing over the sale of a magnificent baroque palace in Rutland, bought 18 months ago for a reported £7 million by a company owned by Asil Nadir, the former chairman of Polly Peck, the collapsed international trading group.

Local residents have fiercely opposed the plans of Mr Nadir's company, Vemak, to turn Burley-on-the-Hill into a hotel and introduce a 36-hole golf course. They believe favourable treatment is being given to Mr Nadir's friend, Ramadan Guney, a Turkish-Cypriot businessman, whose company Moidore is the prospective purchaser of the house.

After Vemak went into compulsory liquidation, Stuart Paton, of Savile's in Stamford, was appointed sole receiver of Burley by Barclays Bank and instructed his own company and Knight Frank and Rutley to act as joint agents for the sale.

A deadline of July 15 was set for unconditional bids as the Vemak plans had been called in for a public enquiry by Michael Heseltine, the environment minister.

The sale contract specified completion on September 3, and an extension was granted until September 11, by which time the public inquiry had opened. Mr Paton and Knight Frank and Rutley appeared at the enquiry to speak in favour of the Vemak plans.

As successive deadlines for completion passed, Knight Frank and Rutley approached the underbidder, Kit Martin, who has made a speciality of rescuing large, often derelict, country houses and adapting them as houses and cottages.

Last Monday, Mr Martin and his lawyers were informed by Knight Frank and Rutley that both the receiver and Barclays Bank had accepted his bid and Mr Martin agreed to exchange contracts the fol-

lowing morning at the latest, with a completion date in October. The next day, Mr Martin was told that the draft agreement had been shelved and the sale renegotiated with Moidore. Andrew MacPherson, of Knight Frank and Rutley, said: "We have let Mr Martin down."

Mr Martin said: "Our offer was a cash offer. We were ready to exchange contracts and pay the deposit and would have completed within a month."

Mr Paton, when asked whether any conflict of interest as receiver could arise from the appointment of his own firm as joint agents, said:

"We have appointed the two leading national agents with the greatest expertise on country houses and consulted the third leading agent, Humberts, on the leisure aspect."



Double indemnity: Sir Bernard Ingham, asthma sufferer and Mrs Thatcher's former press secretary, compares inhalers with Joe, right, and Ben Cummings, eight-year-old twins, at the launch yesterday of

National Asthma Week, which this year concentrates on the management of the condition in schools. The National Asthma Campaign estimates that in every class an average three pupils are sufferers. Sir Ber-

nard, speaking at the Royal College of Physicians in Regent's Park, London, said that he shared the concern of doctors that not enough teachers knew how to cope with an attack, which was why the campaign

had chosen asthma at school as its theme for 1991. But although asthma is a life-threatening condition, only 4 per cent of teachers receive any training in its management, according to the campaign.

Drift nets hang in balance as salmon catch falls

Anglers and conservationists are worried over the dwindling stocks of salmon in our rivers, and John Gummer is to decide how they are caught. Michael Hornsby reports

MOUNTING concern over falling catches of Atlantic salmon, especially in Scottish rivers, has forced John Gummer, the agriculture minister, to come forward with a report on the future management of salmon netting off the northeast coast of Britain.

The report, now two years overdue, will be released soon after Parliament resumes this month. Anglers and conservationists are hoping Mr Gummer will announce the phasing out of the much disputed drift net fishing off Yorkshire and Northumberland, but he is thought unlikely to oblige.

Scottish rivers are the most important breeding ground for salmon in Britain, and drift-netting has been banned off the Scottish coast since 1962. England,

Ireland and Greenland are now the only countries in Europe still allowing salmon to be caught with drift nets, which hang in the water like a curtain between two boats up to a third of a mile apart.

The total catch of salmon in Scotland by commercial fishermen and rod anglers fell from 261,260 fish in 1988 to 168,018 last year, according to the agriculture ministry. The English catch fell less sharply, from 89,164 fish in 1988 to 73,124 in 1989. Catches are reported to have been down again this

year. Rear-Admiral John Mackenzie, of the Atlantic Salmon Trust, says the drift nets indiscriminately intercept fish destined for many rivers. "That is not the right way to crop a migratory fish. The proper place to take them is in their home rivers or the estuaries of those rivers."

Colin Carnie, vice-chairman of the Salmon Conservancy, says catches have been worryingly low this year on the Tweed, the Dee, the Tay and the Spey, the main salmon rivers. "If they

catch 20,000 fish this year in the Tay, they will be lucky. Last year the catch was between 30,000 and 35,000. In a good year you would expect up to 70,000."

The anglers seem to have a strong case. In the 1950s, when coarse, highly visible hemp nets were the only ones available, the drift netters took 5,000 to 6,000 salmon a year. The introduction in the early 1960s of monofilament nylon nets, which entrap sea birds and mammals as well as fish, increased the catch.

Last year the 181 licensed drift nets off Yorkshire and Northumbria caught 48,219 salmon, accounting for about 60 per cent of all the salmon caught in England and Wales. Tagging experiments suggest that at least 80 per cent of these fish, had

they not been intercepted, would have returned to their native Scottish rivers.

Richard Banks, chief executive of the National Federation of Fishermen's Organisations, is unimpressed. "If the drift nets are having as big an impact on salmon stocks in Scottish rivers as is claimed, how is it that the Tyne has recovered from industrial pollution to become the best salmon river in England despite having the northeast drift net fishery on its doorstep?"

Drift netting is not indiscriminate, he says. There are controls on the length (550 metres maximum) and mesh size of nets and on the periods when they can be used. He accuses landowners of being less interested in conservation than in protecting the income they derive

from leasing riparian fishing rights.

No one disputes that the number of young salmon returning from feeding grounds off the Faroes and Greenland to their home rivers has been unusually low for the past two summers. Global warming, changes in ocean currents, industrial exploitation of the sandeel, a vital food for young salmon, and illegal fishing for salmon in their North Atlantic feeding grounds have all been suggested as possible factors.

Dr Kevin O'Grady, head of fisheries at the National Rivers Authority, cautions against equating low catches with low stocks. He says low river flows during the past three summers have hindered the upstream movement of fish.

Man and wife jailed for £4m drug plot

A COUPLE who smuggled more than 40lb of cocaine worth £4 million, from Angola into Heathrow airport last year were jailed yesterday. Lloyd Forest, aged 49, was sentenced to 18 years and Jess Forrest, 48, to 15 years.

The couple, who denied the charges, were said to have handled millions of pounds and bought property, luxury cars and a boat. Jess Forrest, told Isleworth crown court that the money had come from her earnings as a high class prostitute, but both were convicted after a four-week trial.

Yvonne Wright, aged 30, of Maida Vale, and Suzanne Sutton, 28, of Holloway, both north London, have admitted being paid to carry the cocaine into the airport and will be sentenced on Friday. Customs officers found the drug in the airport toilets, where it was awaiting collection.

House of cards

An empty house being renovated at Eastleigh, Hampshire, collapsed into a pile of rubble over a period of nine hours, in spite of efforts by the contractors, firemen and council workmen to shore it up.

Strike ends

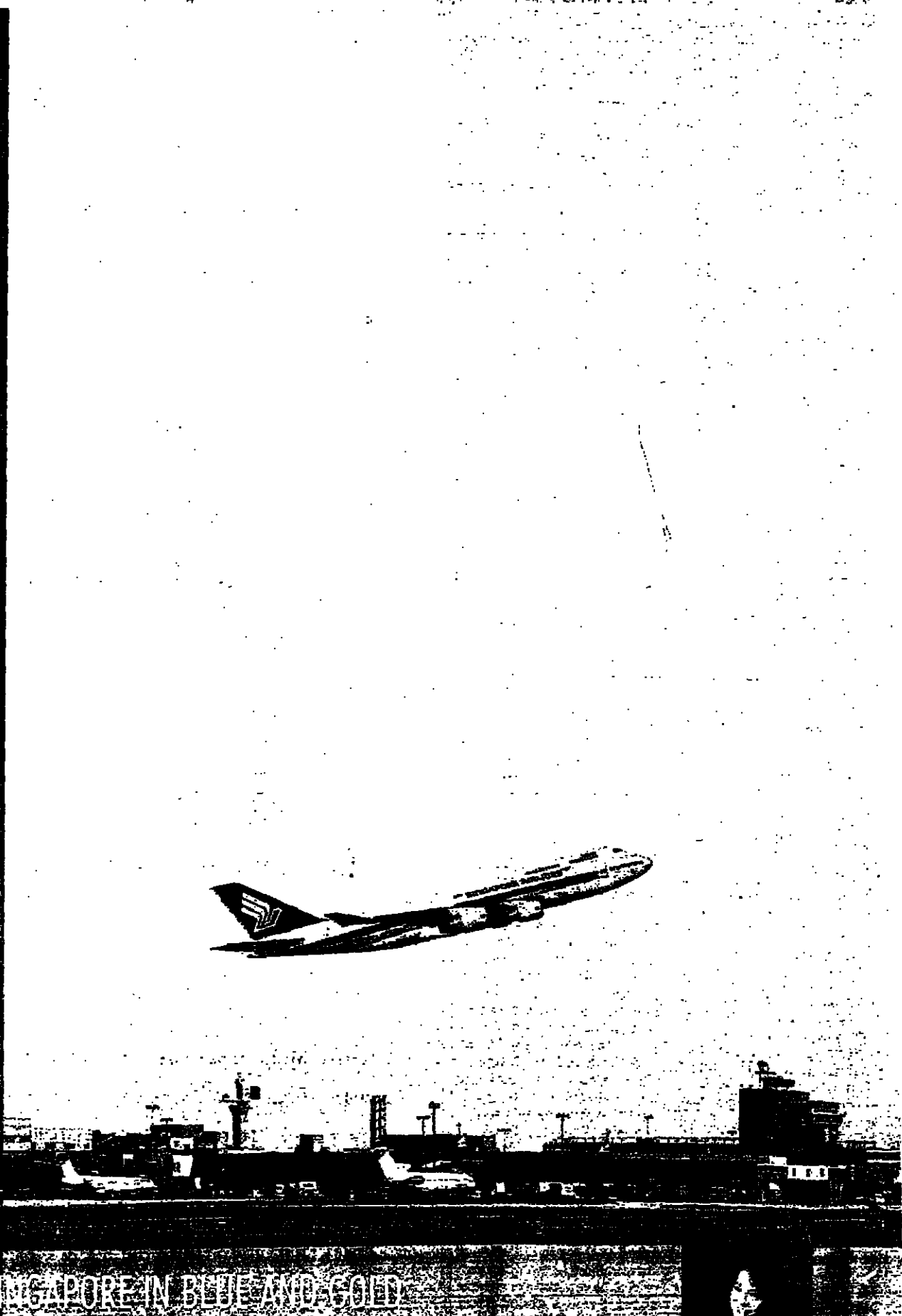
More than 600 Channel tunnel electricians yesterday voted to end a four-day strike that began when 200 men, employed by Balfour Beatty Power, had their pay docked for arriving late for work after a union meeting.

Antiques stolen

A pair of valuable 18th century urns, 4ft tall and weighing 3cwt, were lowered by thieves from their plinths in the grounds of Creech Grange, near Wareham, Dorset, and rolled away across neighbouring fields.

90 jobs lost

The aerospace components manufacturer Normalair-Carrett, a subsidiary of the Westland group, announced 90 job cuts at its plant in Yeovil, Somerset, because of a drop in orders.



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Union plans set in place

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CONFERENCE

Can Kinn

Man and wife jailed for £4 drug plot

NEC results tighten Kinnock hold on party

By PHILIP WEBSTER, CHIEF POLITICAL CORRESPONDENT

NEIL Kinnock's authority over the Labour party machine was tightened further yesterday as Gerald Kaufman, one of his most valued shadow cabinet allies, won election to the ruling national executive at the expense of Jo Richardson, his frontbench women's spokesman.

In the first elections in which ballots of local party members were compulsory, the shadow foreign secretary secured a victory at the party's conference in Brighton that was seen by party observers as reward for his strong performance in his present post and high public profile during a year dominated by international events.

The results provided fresh evidence of the left suffering from internal party decisions are opened to a wider electorate. Tony Benn, the veteran left-winger, held on to his position but with a reduced vote. He is now in sixth position in the seven-member constituency section, that he once dominated. Mr Benn and Dennis Skinner, MP for Bolsover, are the only left survivors on the NEC that was dominated by the Bennites in the late Seventies.

Ms Richardson, who has been on the executive since 1979, was once associated with the far left but in recent times has usually voted with the leadership on the NEC. She is popular with the soft left and there were cries of "shame" in the conference as her defeat became apparent.

David Blunkett, who was

chairing the conference, paid tribute to Ms Richardson for her work and said he was "very sorry indeed".

Some delegates said it was unhelpful that at a time when the party is trying to increase its representation of women its frontbench women's spokesman should be thrown off the NEC. Party members, however, tend to vote for names that they recognise and Ms Richardson has had little television exposure.

She was in bed in her Brighton hotel suffering from bronchitis when the results were declared and her friends went to commiserate with her.

She was not the only woman to lose her seat. In the trade union section, another left-winger, Barbara Switzer, of the Manufacturing Science Finance, who has not always backed Mr Kinnock, was defeated.

On to the NEC came trade union moderates such as Nigel Harris, of the Amalgamated Engineering Union, and Vernon Hince of the National Union, of the Rail, Maritime and Transport Workers.

The Labour Co-ordinating Committee complained that the elections had turned into a beauty contest for the shadow cabinet. For the first time in decades there were no women on the constituency section.

Mr Kaufman said he was "flattered and honoured" that the constituencies had elected him.

Britain 'at foot of every table'

By ROBIN OAKLEY, POLITICAL EDITOR

LABOUR'S economic team set about the government's economic record yesterday, saying that ministers had Britain bumping along the bottom of every economic league table in Europe.

John Smith, the shadow Chancellor, speaking in Brighton at his party's annual conference, accused the government of callous complacency about the economy and the trade and industry spokesman, Gordon Brown, pledged a Labour government to three investment initiatives, in manufacturing, skill-training and new technology.

Mr Brown said that a Labour government would bring universities, broadcasters and industry together to create a "university for industry". Using satellite communications, that would enable workers in agreement with their employers to learn new technology via television at their workplace in a process of lifelong recurrent learning.

He argued that the "helping hand of government" was essential to achieve the fusion of science, skills and finance required for Britain to compete with the best in Europe. It could not be achieved by the invisible hand of the marketplace.

Mr Brown promised an emergency jobs and training programme "in the first few days" of a Labour government. There would be a manufacturing investment programme, tougher controls on takeovers, development agencies for English regions and a defence diversification agency. "We shall create for each region European technology trusts so that even the smallest local company can benefit from the newest European innovations at the fastest possible speed."

A "technology for training" initiative would encourage companies to provide every worker who wanted it with training on the most modern computer technology.

In sharp attacks on the Conservatives which brought him loud applause, Mr Brown said that the Tory version of feeding the five thousand had been the tax cuts which turned 5,000 millionaires into multi-millionaires. He said: "Opportunity under John Major is not that the exceptional rise to



Beckett: country faces a stark choice between income tax cuts and investment

the top but that those at the top get exceptional rises" and he accused the government of undermining democracy by condoning "boardroom excesses".

He added: "First you have the privatisation write-off, then the City sell-off, and then the Tory party's pay-off... and then more privatisation."

He accused the Tories of depending on "American-style election dirty tricks, on dubious Hong Kong donations and, most shameful of all, on a Greek billionaire moving his money out of London and into Major's, an affront to democracy and to Britain."

Margaret Beckett, shadow Treasury chief secretary, said without citing sources that Britain was 13th out of 19 of its main competitors for business investment, 12th out of 12 for manufacturing investment, 22nd out of 24 for export growth and 20th out of 21 for manufacturing output. "The Tories claim criticism is 'talking Britain down', but

they are letting Britain down."

Businesses were failing at the rate of 930 a week and 200 families a week were losing their homes. The fact that government could not do everything and should not try to was no excuse for the government doing nothing to build a partnership with industry.

She accused ministers of cheating by stopping counting some of those previously classified as unemployed or in poverty and by stopping publication of hospital waiting lists. If state schools were not underfunded, why did opt-out schools and city technology colleges get more money?

Mrs Beckett said that it was a stark choice between income tax cuts or investment. She promised that whatever resources came from resumed growth would go, under Lab-

our, "not into income tax cuts but into investment for our future". She added: "Whatever we get we will invest."

In the debate, Rodney Bickerstaffe, general secretary of the National Union of Public Employees, said that Britain had no future as a low-wage, low-productivity low-tech economy. It could not compete on international wages. It would always be undercut on labour costs. "Europe's and Britain's hopes for the future are in a high productivity, technologically advanced high wage economy in which the skills of all the workers are valued and valued fairly."

He added: "We need that minimum wage safeguard which can operate as it does in nearly every other European country."

Glenda Jackson steals show

By NICHOLAS WOOD, POLITICAL CORRESPONDENT

EDUCATION

GLENDIA Jackson, the Oscar-winning actress, stole the show on the first full day of the Labour conference by mocking the prime minister's vision of a classless society.

Miss Jackson, Labour's candidate for the marginal London seat of Hampstead and Highgate, made her debut at the rostrum with an impassioned attack on the government's neglect of state schools. Condemning spending cuts that left schools in disrepair and so understaffed that children were turned away, she said: "They call this the classless society. And it is classless. There are no classes for the children turned away for the lack of a qualified teacher... And there is certainly no class in a government that for the last decade has sold out our children and our country and our future short."

Miss Jackson, aged 55, who attended West Kirby girls' grammar school in Cheshire and the Royal Academy of Dramatic Art, accused the Conservatives of eroding the principle of free education funded by the community at large. "I am a product of the welfare state... Forty years later I stand here addressing conference. Yet without state education... I would be addressing envelopes."

She maintained that the Tories were dismantling the welfare state, turning education into a commodity that was "theirs to buy and theirs to sell". She promised that a Labour government would provide the staff and the equipment to show that education mattered.

Earlier, Jack Straw, Labour's chief education spokesman, had been more cautious about his party's spending plans, saying that there could be no magic wand to remedy the neglect of the past decade. However, a Labour government would ensure that there was a steady increase in the share of national wealth devoted to education over the lifetime of the next parliament.

Maxwell defeat for the leaders

The first defeat of the conference for the leadership came on rejection of NEC advice that a motion critical of Robert Maxwell over a dispute with the National Union of Journalists at Pergamon Press, which he formerly owned, should be remitted rather than passed.

The conference passed the motion on a show of hands, apparently without dissent.

Decisions of the day

The conference carried motions

- ☐ condemning government neglect of industry
- ☐ reaffirming Labour commitment to a national minimum wage
- ☐ calling for a flourishing science and technology base to be established
- ☐ calling for a unified national education system
- ☐ attacking Tory education policies
- ☐ attacking government adult education proposals
- ☐ supporting a minimum wage and improved working conditions
- ☐ condemning government proposals on industrial relations
- ☐ expressing concern at health and safety record in construction
- ☐ calling for repeal of all anti-trade union laws
- ☐ demanding a pensioners' charter
- ☐ demanding a social strategy for progressive elimination of poverty

It rejected:

- ☐ by 4,715,000 to 641,000 public ownership of the basic utilities
- ☐ by 2,904,000 to 2,444,000 putting a timetable on phasing out of nuclear power
- ☐ by 2,758,000 to 2,562,000 continued use of nuclear power

Business today

The main item on the agenda today is Neil Kinnock's speech to the conference. Other debates are on moves to give women a greater role in the party's organisation.

Trade Union section:		Not elected:	
Hines, Vernon (FIMT)	4,881,000	Richardson, Jo (Brighton)	207,000
Gilling, Gordon (NGA)	4,675,000	Livingstone, Ken (Brighton East)	188,000
Sweeney, Ken (NUT)	4,650,000	Meads, Claire (Brighton S)	191,000
Connor, Bill (USDAW)	4,554,000	Hodges, Margaret (Brighton S)	79,000
Haigh, Eddie (TSVU)	4,538,000	Malton, Alice (Harrow)	58,000
Curry, Tony (LNU)	4,498,000	Swales, John (Brighton N)	59,000
Burton, Tom (GMB-GAW)	4,425,000	Patel, Karan (Epsom)	15,000
Harris, Nigel (AUEU)	3,722,000	Coates, Ken (Surrey)	12,000
Rogers, Richard (TSSA)	3,720,000	Swales, G (Stoke on Trent S)	4,000
O'Kane, Colin (CNSE)	3,484,000	Quinn, Don (Preston)	4,000
Ward, Derek (NCL-ENGL)	2,910,000	Miller, Alison (Barnsley)	3,000
Brookman, Keith (SIT)	2,747,000	Merry, Keith (Dorset North)	1,000
Not elected:		Smith, Charlie (Westminster S)	1,000
Switzer, Barbara (MSF)	2,512,000		
Capstick, Ken (NUT)	2,428,000		
Brumwell, George (LCAT)	2,347,000		
Spillar, John (BEPH)	2,330,000		
Christopher, Colin (FPAW)	2,320,000		
O'Neill, Terry (FPAW)	2,220,000		
Socialist/Co-operative/Other:		Women members:	
Evans, John (NUJ)	48,000	Beckett, Margaret (Dorset S)	5,405,000
Tait, Joanna (SEU)	10,000	Ward, John (Dorset S)	6,000,000
Conservative parties:		Jenkins, Denis (USAW)	4,724,000
Stuart, David (Sly/Sly/Sly)	480,000	Short, Colin (Harrow Wood)	1,510,000
Cook, Robin (Livingston)	468,000	Brindle, David	3,464,000
Schiner, Dennis (Gower)	438,000		
Prescott, John (Hull East)	425,000	Not elected:	
Gould, Bryan (Dagenham)	345,000	McGrath, Helen (MUKFAT)	3,502,000
Sains, Tony (Chesham)	343,000	Lloyd, Lesley (Hendon S)	1,100,000
Kaufman, Gerald (M'chey/GM)	316,000	McFarlane, Alan (M'chey)	385,000
		McFarlane, Alan (M'chey)	385,000
		Purcell, Pauline (Stram Edge)	218,000
		Treasurers:	
		McClintock, Sam (NURMTW)	3,659,000
		Strong, George (Epsom East)	1,067,000

Union plans set in place

LABOUR set in place the programme of industrial relations law and training that trade union leaders said was the "final product" of a protracted debate between the unions and the party.

Conservative ministers believe that Labour's plans on union law reform, with the Labour-union relationship overall, are weak areas for Labour, and they are determined to maintain their pressure on these issues.

But Tony Blair, Labour's employment spokesman, said: "Is there any more object spectacle than a Tory government locked in a small corner of history, chanting ritual incantations about trade unions, refighting the battles of the Seventies because they have not the courage, the vision to confront the challenges of the Nineties?"

Kaufman wins his reward

By PHILIP WEBSTER, CHIEF POLITICAL CORRESPONDENT

FOR more than ten years Gerald Kaufman has finished in the top handful of places in the annual popularity contest among Labour MPs, the shadow cabinet elections. For most of that time he has gradually been inching his way up in the yearly poll of the constituencies that tests the ratings of senior politicians in the party at large.

The constituency section of the NEC has long been a preserve of the left, only a few years ago of the hard left. For a man with a reputation as a right-winger Mr Kaufman's annual attempt to win election seemed futile. Even this week rumours in Brighton of his imminent success have inspired incredulity among the older Labour hands.

His elevation last night was

a further indication of the degree to which Labour has changed under Neil Kinnock. Constituency parties, now required to hold ballots of ordinary party members rather than leaving the choice



Kaufman: has the respect of fellow MPs

to party officers, have rewarded the shadow foreign secretary for his persistence and performance.

They will have judged him on his public showing in the Commons and on television as Mr Kinnock's chief Tory baiter. Mr Kaufman has never set out to be liked by his opponents, but few would deny that he is one of the sharpest political operators at Westminster. Mr Kaufman's denunciations of government statements in all his shadow roles have been marked by the richest invective. He is also often accused of a tendency to hyperbole - but he has rarely slipped up on his brief. His sound showing every year in the elections among MPs has derived from their respect for his hard work. His high profile during the past year during the Gulf war and after the Soviet coup will also have helped him.

CONFERENCE DIARY

Can Kinnock resist two bites?

By ROGER WOOD

Today's keynote speech by Neil Kinnock may not be his last at this year's conference. He has yet to make up his mind, but there is more than a little speculation at Brighton that he will be unable to resist the temptation to take the stage again on Friday as the conference closes.

This is Labour's last conference before an election. Mr Kinnock, some of his colleagues believe, will want to seize the opportunity to send his troops away into battle. John Major will have the last word at Blackpool next week; why not Mr Kinnock this week?

The final words on Friday will be "Jerusalem" as delegates sing "Jerusalem" with a free hand to amend the line about "England's

green and pleasant land". There will also be a rousing chorus of the party's traditional favourite, the "Red Flag", but with the added danger that more than the odd line might be amended.

A bowdlerised version circulating at the conference includes the following first verse and chorus:

The party's flag's now palest grey

We hope it keeps the Trots away

The voters now need have no doubt

The Militants have been thrown out

Chorus:

Then raise the ashken standard high

To our ideals we'll say 'goodbye'

Though socialists will stand and jeer

We'll keep the grey flag flying here.

The authors, understandably, remain anonymous

The cue device, that much loved aid to public speaking known as the "sincerity machine", has made its debut on the Labour platform this year, with shadow Chancellor John Smith among the first of the important speakers to take advantage as he opened the debate on the economy.

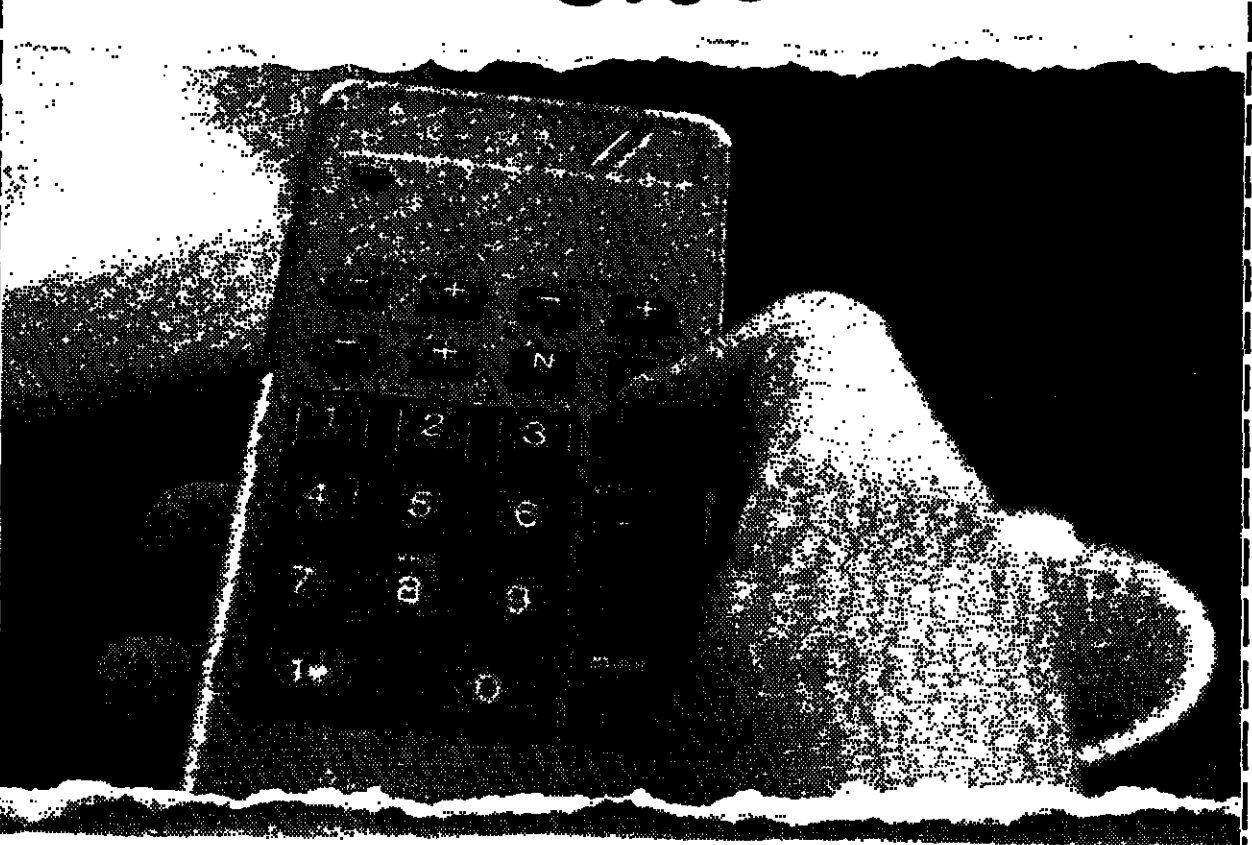
Lessons have been available for anyone wanting to use the machine, but Neil Kinnock, however many speeches he makes, will definitely not be among them.

A spokesman said that it might be a disincentive to the great platform orator as there will undoubtedly be some off-the-cuff "inspirational passages" once he gets warmed up. One

advantage of the device became immediately clear yesterday as speakers managed to time their contributions with amazing precision. Mr Smith wound up three minutes before the 10am news bulletin and his colleague Gordon Brown, the party's trade and industry spokesman, was just in time to catch the headlines exactly an hour later.

Ron Leighton, the anti-EC MP, suggested to a fringe meeting on Sunday that the party could be wound up because it would have no power to decide anything. Austin Mitchell, the chairman, found that too pessimistic. "We would still have to meet every year," he said, "to expel people." And pointing to Leighton, he added: "Perhaps you?"

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Bucharest backsliding teaches Moscow a terrifying lesson



Ceausescu: successors reluctant to change

THE violent eruption of working-class unrest in Romania last week was not only a frightening experience for the political elite of Bucharest, but may be a forerunner of more social trouble — and not only in the Balkans. What has happened in Romania is a terrible warning to the Soviet Union about the consequences of delayed, half-baked and ineffectual attempts to change the communist system.

The Romanian crisis is the result of the failure of the regime which succeeded Nicolae Ceausescu's unregenerate Stalinist dictatorship in 1989 to carry through genuine democratisation and thorough economic reform. The men who replaced Ceausescu, particularly President Iliescu, never hid their unwillingness to imitate the model of complete transformation onto Western lines advocated by the

market-orientated leadership of Poland and Czechoslovakia.

It even took Petre Roman, the prime minister, almost 18 months to commit himself to a plan for privatisation, but by the beginning of September all his government had achieved was the tripling of prices for most goods. Industrial output had fallen by almost 40 per cent and the distribution of food and other products was breaking down. Little wonder that the supporters of Ion Iliescu, formerly enthusiastic, turned against him.

Boris Yeltsin has an enormous advantage over Mr Iliescu: the Russian president enjoys enormous and genuine popularity as the man who turned against the communist system before it was entirely safe to do so. Only a leader with genuine legitimacy has any chance of persuading the population of

Mark Almond, of Oriel College, Oxford, argues that Russia needs democracy and a market economy to avoid Romanian-style unrest

a formerly communist country to add to the sacrifices they had to make daily under communism the new ones required to dismantle the system.

The difficulties faced by Lech Walesa's government in Poland show how even the most representative figure cannot introduce capitalism without a great deal of unrest among his traditional supporters.

Mr Yeltsin does not seem to suffer any stigma among ordinary Russians because of his long years of loyal party membership before October 1987, but he, too, is surrounded by and dependent on many people who tore up

their party cards much more recently. The survival in office of President Gorbachev and the reappearance of formerly disillusioned reform communists, like Eduard Shevardnadze and Aleksandr Yakovlev, may reassure Western statesmen that the Kremlin will pursue a foreign policy of comfortable continuity, but they are not politicians greatly trusted by ordinary people.

Everyone accepts that the planned economy is not working, but it is still far from clear that many of the new leaders using the language of market economics understand quite how far-reaching change will have to

be. The centrally planned system is impossible to reform and redundant; it must be allowed to disintegrate completely. However, there will be severe social consequences if real market procedures are not established.

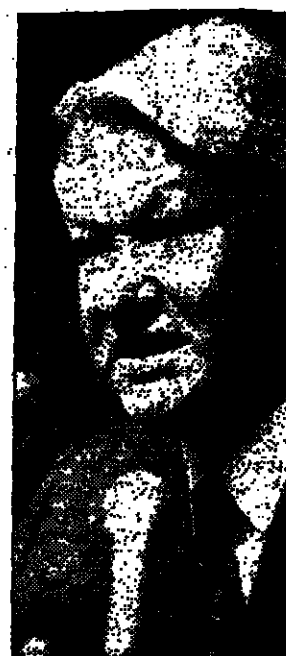
Some siren voices are already saying in Moscow that the only way to introduce a market economy is by command from above. The evidence from Eastern Europe is, however, that democratisation and marketisation are inseparable. Unless ordinary people have a political outlet for their grievances, and without a free debate about the best way forward to a market economy, the wisest proposals from above may founder on popular suspicion and resentment.

The news from Moscow is not wholly good. Gavril Popov, the mayor of Mos-

cow, has imposed a price and wage freeze and irritated both Western businessmen and local entrepreneurs by protecting state and city-owned businesses from privatisation. Mr Yeltsin himself is a populist who advocates the market economy but sounds unhappy about admitting wage differentials.

The experience of Romania suggests that those who try to make the crash-landing of transition from communism to capitalism as smooth as possible, with the best intentions perhaps, end by overshooting the runway.

Only free and fair elections, establishing a new, democratically legitimate government in Russia soon can create the conditions for a viable market economy and liberate it from the nightmare possibility of the social and economic disintegration seen in Romania.



Yeltsin: enormous and genuine popularity

Gorbachev prepares to match Bush with arms cut proposals

FROM CHARLES BRENNER IN MOSCOW AND MARTIN FLETCHER IN WASHINGTON

THE Soviet Union yesterday responded to President Bush's dramatic nuclear arms cuts proposals by saying it was preparing a package of "counterproposals" to be conveyed immediately to the Americans.

The announcement by Vladimir Petrovsky, deputy foreign minister, hailed the US initiative last Friday as historic and far-sighted. It indicated no specific measures except Moscow's long-standing offer for an immediate mutual ban on nuclear testing. President Gorbachev would reveal his proposals this week, according to a report by the Soviet Interfax agency.

But General Bronislav Omelichev, the Soviet deputy chief of staff, told Tass that Moscow was ready to follow the American lead and stand down Soviet bombers on nuclear alert. At the weekend B52 crews at 14 American bases were stood down. "We are ready to do the same with our heavy bombers," General

Omelichev said. Marshal Yevgeni Shaposhnikov, the defence minister, indicated in a newspaper interview that Mr Gorbachev would match President Bush's destruction of land-launched battlefield nuclear missiles. Eliminating these should help bring cuts in long-range strategic missiles, he said. "Arsenals should be reduced to the minimum."

Senior Soviet officials, including Boris Pankin, the foreign minister, were now seeking talks with the Americans on finding "a practical scheme for implementing Mr Bush's ideas". Mr Petrovsky said, "We have some counterproposals. It is of primary importance to establish rapid dialogue with Washington," he added. The American move had opened the possibility of the two countries reducing the nuclear threat "and the people of the world will benefit", said Mr Petrovsky, whose remarks were more positive than the cautious welcome given by President

Gorbachev. The minister also raised the prospect of other nuclear states being drawn into the disarmament drive.

In Washington, the International Monetary Fund said it was preparing to unveil a plan next month for achieving global reductions in military spending that could save between \$140 billion (£80.5 billion) and \$180 billion a year worldwide.

If adopted, the plan would save the Soviet Union alone roughly \$80 billion to \$100 billion, freeing funds desperately needed to achieve the country's transition to a market economy.

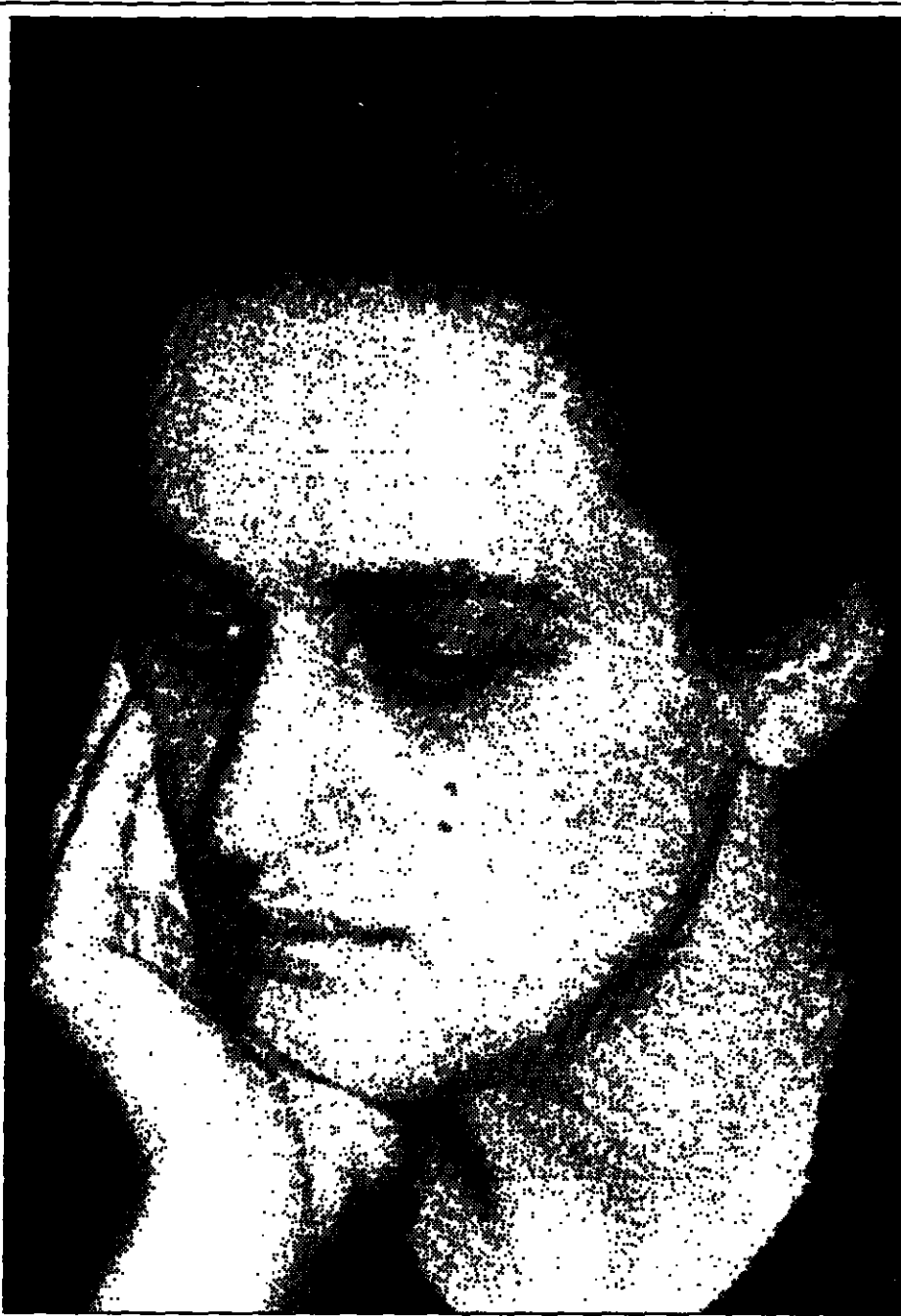
It would also help reverse what one senior IMF official warned was a growing world shortage of money for productive investment that threatens to negate the potentially huge benefits of sweeping political changes. The IMF proposals, which were being prepared before Mr Bush made his nuclear arms reduction announcement, are said to be as bold in scope. The plan will be put forward at the IMF's joint annual meeting with the World Bank in Bangkok.

The savings could be made by nations undertaking to restrict their military spending to 4.5 or 5 per cent of their gross national products, or through 20 per cent cuts in military outlays. Such reductions have been made possible by the Cold War's end and communism's collapse, said one IMF official.

In a commentary yesterday, *Pravda* said it was clear "that the American administration is now deeply concerned about the reliability of Soviet control over its nuclear arsenal, and this may be one of the driving motives behind the American proposals". Mr Petrovsky made clear that Moscow saw some inequity in Mr Bush's proposal for rapid reductions in heavy, land-based multiple warhead missiles. These form the main pillar of the Soviet deterrent while the Americans are also heavily reliant on submarine-launched weapons.

It seems likely that Mr Gorbachev's counterproposal will include ideas on seaborned strategic weapons. Soviet officials said Moscow was likely to press Mr Bush to restrain the Strategic Defence Initiative.

Peter Stothard, page 14



Board gloom: Maya Chiburdanidze, of the Soviet Union, undefeated in 13 years as women's world chess champion, contemplating a move yesterday as Xie Jun, her title challenger from China, seized a 2-1 lead in their 16-game contest in Manila

Georgian peace hopes fade

FROM AGENCE FRANCE-PRESSE IN TBILISI

PRESIDENT Gamsakhurdia of Georgia said yesterday that a new round of talks with the opposition would not take place later in the day, because the forces calling for his removal had "refused to hand in their weapons".

The opposition also said the talks were off. The opposition leader, Tengiz Sigua, said his side refused to disarm since this would destroy the balance of power in the confrontation and give Zviad Gamsakhurdia a free rein. Mr Sigua called for a meeting as soon as possible of the local parliament.

Mr Gamsakhurdia, who is at the centre of a storm that threatens to plunge the breakaway Soviet republic into full-scale civil war, accused the opposition of causing the explosion that injured several

people outside its main stronghold. The blast occurred outside the main television station, where opposition forces are besieged behind defences manned by rebel units of the Georgian national guard.

Doctors said six people were slightly hurt, and the government said four had been injured. Opposition activists alleged that the explosion had been caused by sticks of dynamite thrown towards the building.

Addressing a press conference here early yesterday, Mr Gamsakhurdia said the opposition had caused the blast because it had lost the battle against the legally elected government. "The opposition forces detonated a bomb at the government-

owned TV station they have illegally seized," he said, speaking in English. The opposition "now no longer knows what to do, it sees that disaster is close," he added. Mr Sigua, a former prime minister, denied that his supporters had caused the explosion.

The Georgian leader called on the opposition forces, whom he described as "putschists", to lay down their arms and go home, saying that if they did so no action would be taken against them. The government would then declare an amnesty and lift the state of emergency declared last Wednesday. He would also convene a new session of the Georgian parliament, as the opposition has been insistently demanding.

Armenian outpost refuses to pay price of ceasefire

Ancient hostilities keep violence on the boil in the bloodiest Soviet ethnic war, Robert Seely writes from Aterk in disputed Nagorno-Karabakh

IN THE mountains and forests of Nagorno-Karabakh, the Soviet Union's most fighting last week in Chepar were being stored in the village school in Kedevan.

In spite of speeches from village notables to avoid provocation, life for Armenians in Nagorno-Karabakh with their memories of centuries of hatred is based on self-reliance and revenge. The region is perfect partisan country. Mr Yeltsin's peace treaty, which saw the withdrawal of discredited elements of the Soviet fourth army, may unfortunately encourage an increase in violence which the army's replacement, a highly trained Spetsnaz division from Russia, will be hard-pressed to stem.

"There is no other solution except for Armenians to defend their own land. Who will take revenge? Who will protect our people? If we leave our defence to others, we will be finished," said Sourik Aroutunyan, the commander of irregulars in Aterk, a Nagorno-Karabakh village.

Armenia's defence of Nagorno-Karabakh involves two groups of people. Villagers, raised as shepherds and hunters, take responsibility for defending their land and

proof of fresh violence. The bodies of three, including a boy aged three, killed in fighting last week in Chepar were being stored in the village school in Kedevan.

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Armenia's defence of Nagorno-Karabakh involves two groups of people. Villagers, raised as shepherds and hunters, take responsibility for defending their land and

houses, while the fedayeen, with their relatively modern weapons, patrol the huge forests of the Karabakh.

Mr Aroutunyan's headquarters was a whitewashed house high up the valley. In a room, he and 17 men listened to a walkie-talkie to monitor where fighting had flared that evening. They learnt that four fedayeen had been shot as they tried to bypass a Soviet checkpoint. Three were wounded and one killed. The next day the dead fedayeen's body was brought back to Aterk. His funeral was unlikely to be the last in this violent conflict.

In Aterk, where 40 Soviet soldiers were taken hostage by villagers in August, and in neighbouring Chepar and Kedevan villages, a steady flow of funerals gave ample

easy to understand why Budapest balked at paying a £500 million bill from Moscow for "building military facilities" it never wanted or needed. Nobody really knows what to do with the base. The cancer league has asked for it, a foreign hotel operator sees a potential spa, and the intrepid Imre suggests a museum dedicated to memorabilia of the past four decades, with exclusive rights to view the premises in his pocket.

It took only 20 minutes and a £200 monthly fee to secure permission to use the base, one of hundreds which bright Hungarian entrepreneurs are transforming into money-making ventures. One former Soviet nuclear missile site is now the headquarters of a profitable mushroom-growing business, and an air base which was prepared as a supply depot for a Warsaw Pact invasion of Western Europe is a new tourist airport.

Wellington to review ships ban

Wellington — New Zealand is to review its anti-nuclear law, banning visits from nuclear-armed and nuclear-propelled warships, as a result of the American decision to remove nuclear weapons from warships (Richard Long writes).

The review is expected to focus on the nuclear propulsion ban, seen as the one obstacle now preventing a resumed alliance with Australia and the United States. New Zealand was effectively suspended from the Anzus alliance after banning visits from nuclear warships in 1985.

Friendship pact

Prague — Czechoslovakia and the Soviet Union have agreed on a friendship treaty and expect to sign it on Thursday. Omitted will be a clause, initially favoured by Moscow, to exclude the possibility of either party joining a security alliance that might be directed against the other. (Reuter)

Weapons trial

Miami — Jurors are being chosen for the trial of Sarkis Soghannalian, aged 61, a Miami international weapons dealer, on charges of conspiring to smuggle 103 combat helicopters and two rocket launchers to Iraq. Mr Soghannalian, a citizen of Lebanon but a US resident, was indicted in December 1987. (AP)

Shell stock

Athens — Environmentalists are hoping to find natural habitats in Greece for 500 land turtles confiscated in France, Italy and other European countries after their illegal export. Experts believe the popularity of the film *Teenage Mutant Ninja Turtles* may have increased demand. (AP)

Cannibal killer

Moscow — A Lithuanian farmer, who killed and cooked his first wife, murdered his second wife and salted down parts of her body after she stole 100 roubles (£10 at tourist rates) from him, *Pravda* said. The farmer, aged 51, said he had cut the "best meat" off. (Reuter)

Loos with a crumbling socialist view lure American tourists

FROM ERNEST BECK IN BUDAPEST

THE Soviet officers' toilet is the highlight of the tour. As cameras click madly and video recorders hum, we shuffle slowly into a small, filthy white-tiled room, dominated by a stand-up toilet, smeared with stains. "They lived like pigs," snarls a middle-aged woman from Missouri who is positioning herself in the corner for a better angle. Amid the giggles and sighs, this fitting symbol of the end of the evil empire is duly recorded for the folks back home.

American tourists, tempted by scenes of toppled Lenin statues on television, are visiting Eastern Europe to catch a fleeting glimpse of life behind the former Iron Curtain and to gloat over communism's ignominious fall. Two enterprising Hungarians are the first to corner the market on such tours by offering a three-hour visit to an abandoned Soviet army

base, a well-preserved socialist Disneyland of dusty barracks and broken glass, set amid weeds, overgrown grass and wild roses.

For a mere \$15 (£8.60) one can see at first hand how poor Ivan, the Russian GI Joe, ate, slept, marched, mouthed propaganda slogans and moved his bowels. The tour begins with an air-conditioned coach and sips of chilled Russian vodka before arriving at the base outside Budapest. Then the 30 American tourists enter the shabby building, decorated with red stars, which served as home to 1500 Soviet soldiers until just a few weeks ago.

"We are walking in the fresh footprints of history," remarks Imre Hild, the tour guide. There is considerable interest in the peeling paint and wallpaper and the smell of dampness and obvious despair. "I thought they lived in luxury like all invaders," says a man from Trenton, New Jersey,

They must have been glad to go home.



as he eyes a decrepit bed and moth-eaten blanket, and a communal bathroom with six holes in the ground which served as a latrine.

"These poor boys, they had it bad," laments a voice from behind. Sympathy grows as the

group wanders through empty rooms where floors are littered with scraps of *Pravda*, broken records, and old clothing strewn haphazardly as if they were carefully arranged stageprops.

We learn about life in a Soviet camp, group showers but once a week, and no central heating. Overwork, long years spent away from loved ones in a strange land, and little chance to mingle with the locals, completes the sad picture drawn before astonished and incredulous eyes.

History is slightly skewed, however, to please the guests. Tourists learn how the Soviet army stayed on in Hungary after the second world war but not how Hungary invaded the Soviet Union as an ally of Nazi Germany when the war began. And there are stories about nasty Soviet soldiers stealing live ammunition and selling it to unsuspecting Hungarian schoolchildren.

"Russians and anything Russian are like UFOs for Americans," admits the shrewd tour guide with a keen marketing sense, although he gives credit to his grandmother for coming up with the idea. During the war her house was occupied and plundered by Soviet troops, and when the forces finally left Hungary in June, she suggested that many people, including herself, would finally like to see how the soldiers had lived.

Business has been brisk for the army tours, although they are now temporarily suspended after a diplomatic row erupted, over who actually owns the property. Rumour has it that the Soviet Embassy here complained that the tours further complicated the stalled negotiations over who should pay for cleaning up the mess left behind by 40 years of Soviet military occupation.

After seeing the army base, it is

easy to understand why Budapest balked at paying a £500 million bill from Moscow for "building military facilities" it never wanted or needed. Nobody really knows what to do with the base. The cancer league has asked for it, a foreign hotel operator sees a potential spa, and the intrepid Imre suggests a museum dedicated to memorabilia of the past four decades, with exclusive rights to view the premises in his pocket.

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Falling out

Yugoslavia near collapse tanks cr... Union cons peace for

We're Lands' End Direct Merchants, from America.

*May we introduce ourselves
to you properly?*

As newcomers to the British marketplace, we owe you a thorough examination of our credentials if we hope to do business with you. (If possible, we'd like to avoid the tag, "those pushy Americans.")

So, in this space, we propose to explain in excruciating detail just who we are, what we do, why we're here and to suggest some positive benefits you may derive from our presence.

To begin with...

We're a company which markets fine quality products—such items as traditional classic clothing, soft luggage which we manufacture ourselves, and various accessories—through the circulation of catalogs via the post. Customers browse through these catalogs—which we think of as our "store," actually—and order products, either by phone or by post. This manner of trading has not always enjoyed an unblemished reputation in the U.S. (Nor has it in your country, we're told). So, from the very first, we determined to set our performance apart, and make sure we did everything possible to sustain it in that position, however difficult it might be to do so.

That's why, when we entered the business over 25 years ago, we vowed we would offer only first quality products. Products we personally knew something about because we either wore or used them ourselves. We further vowed to do whatever it took to maintain that quality and improve it wherever possible.

Finally, we determined to price our products to reflect genuine value for the money. If we could not achieve this happy combination of quality at a price attractive to the customer, we did not enter the category.

From the beginning, we also pledged ourselves to a customer-comes-first policy founded on swift, sure, dependable service and a guarantee: no water-tight it admits of no exceptions. In the words of our founder, it reads as follows:

**"We accept any return,
for any reason,
at any time.
Our products
are guaranteed.
No fine print.
No arguments.
We mean exactly
what we say.
In one word,
GUARANTEED."**

(Incidentally, our guarantee is provided in addition to your statutory rights.)

As our business has grown, we have been favored by considerable good fortune. For one thing, by some process of

divination known only to him, our founder located Lands' End headquarters in a small community in Southern Wisconsin, U.S.A. on the outskirts of a village called Dodgeville. Surrounded by rich agricultural land—dairy country as well—the earnest farmers and industrious citizens of Dodgeville live lives that respect the eternal verities—honesty, industry, integrity and loyalty—blended with a large helping of humility and a seasoning of wry good humor. (Crop-threatening weather—either too wet or too dry—discourages arrogance; and when you have tried and failed to back your car down a driveway covered with 28 inches of snow, laughter is your only recourse.)

Our way of doing business has prospered.

In this environment, among these people—many of whom are now Lands' End employees—our methods have borne fruit. Such success as we have enjoyed has confirmed our determination to continue our obsession with quality, value, and always, always service.

Having said all this, let's get specific.

On these pages, we are offering you the opportunity to buy one—or, indeed, all—of four exclusive Lands' End products, each fully representative of the quality, construction, and value we've told you about. We're giving you another alternative as well. You can send for an introductory Lands' End catalog, put together especially with you in mind, which has 17 pages of popular Lands' End products, all pictured in full color. All are offered in a wide range of colors and sizes to fit all sizes of people, and in a full palette of colors.

To order any item, simply phone us free of charge on 0800 220 106 with your credit card details. For a catalog only, post the coupon below to: Lands' End Direct Merchants U.K. Limited, 9 Forge Court, Reading Road, Yateley, Camberley, Surrey GU17 7RX. Your order should arrive within 10 days.

Now, here are the details on each product in turn, beginning with:

If you'd like a free copy of our catalog, mail in this coupon or call us free on:
0800 220 106

Name _____

Address _____

Post Code _____

Send to:

Lands' End Direct Merchants

Dept. #QF88

9 Forge Court, Reading Road, Yateley

Camberley, Surrey GU17 7RX

I. The authentic Hyde Park Oxford: a Lands' End classic at £29.50.

About 100 years ago, someone came up with a heavy-duty Oxford cloth that yielded readily to ironing, retained its shape better than most Oxford cloth (even without an assist from starch), and gave every evidence of wearing forever. After all, it was a 100% cotton fabric, weighing in at a finished weight of 5.2 oz. per sq. yard. This made it about 25% stronger and heavier than ordinary Oxford cloth.

Given our preference for the natural virtues of cotton, we seized on it for constructing our now famous Hyde Park Oxford shirts. The presence it lends our shirts simply cannot be duplicated.

You'll find we cut the Hyde Park generously, single-needle stitch it throughout, and add a softly-rolled button-down collar. You may especially appreciate, as we do, the split back yoke and handy locker loop we supply along with the 7-button (rather than 6-button) placket. As you might expect, our longer tails stay put, too.

The Hyde Park makes no fashion statement. It simply is one, which is why we named it after the most timeless spot in London, when we introduced it some 10 years ago. Treat yourself to one in this its anniversary year. It comes in 28 sizes to fit almost any build, and in a wide range of colors, striped or solid.

Hyde Park Oxford

Colors: Blue, White, Maize, Pink
Sizes:
Neck: 14½, 15, 15½, 16, 16½, 17, 17½
Sleeve: 32, 33, 34, 35, 36
100% cotton or
60% cotton/40% polyester
Price £29.50
(Plus £2.95 per order P & P)

To order
please call us free on:

0800 220 106

with credit card information
(MC/Access, Visa, AMEX
number and expiration date).

II. Our Year-Round Turtleneck, (Or "Rollneck," if you like) is a great Lands' End value at £16.

Not since the original model inched its way up on the sands of the Galapagos Islands has anyone built a better Turtleneck to sell for less than ours. Even at £16. And here's why:

The quality and value are in the details—most prominent among them our seamless neck, a feature seldom found on its competitors at any price range—a feature we insist on maintaining. (This is a genuine "rollneck." Smoothness uninterrupted.) True, it costs a little more to fashion it this way, but once you experience the comfort it is well worth it. It won't chafe, nor will it rub or rip out. The feel is indescribable.

The Lands' End fabric is soft interlock. In either 100% cotton or a carefree 50/50 cotton and poly blend—at least 10% more substantial than any of its rivals.

Turtleneck

100% cotton or
50% cotton/50% polyester
Men: S, M, L, XL
Women: XS, S, M, L, XL
Colors: Navy, Black, Red, White,
Hunter, Turquoise, Soft Yellow
and 8 more!
Price £16
(Plus £2.95 per order P & P)

To order
please call us free on:

0800 220 106

with credit card information
(MC/Access, Visa, AMEX
number and expiration date).

III. How Lands' End re-defined the Attache Case.

When we first started offering the Lands' End Original Attache case 14 years ago, it was in a world where such a case had to be 1) slender, 2) of soft, smooth, shiny leather, 3) wrapped around a firm frame, and 4) fashionably expensive.

A world in which ageless men (called attaches, of course!) carried such cases, chained to their wrists, and loaded with neatly typed declarations of war, peace, or amnesty, on dead-of-night journeys between world capitals.

We had more plebeian things in mind.

We were a young company, and most of us were so busy we took a lot of work home at night—too much to fit into those expensive cases. So we challenged our soft luggage people to come up with a soft-canvas attache that would 1) hold more than it ought to, 2) be easy to carry, and 3) not cost an arm and a leg.

The result: the Square Rigger™ Attache you see here for just £39.50, with all the improvements we've made in it over the years. Today its original tough, sailcloth canvas is still there. The padded handles, the carrying strap, etc. The file-size interior pocket is a little newer, plus the 6 pen and pencil pockets and the key clip that lets you unlock doors without unclipping your keys. Then and now, a very neat bag and nowhere near the price of the leather-crowd.

Our customers' response was overwhelming. Today, more than 600,000 users traipse around the world with our bag. It peeks out from under airplane seats, and you'll find it on the pin-striped laps of executives who test the velvet of chauffeured limousines.

But the price is still homey: £39.50. An honest, earnest travel companion. You really ought to have one, now that it's so easy to buy.

Square Rigger Attache

Colors: Black, Navy, Tan, Gray
Price £39.50
(Plus £2.95 per order P & P)
Monogram: (3 initials only) £3.50

To order
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with credit card information
(MC/Access, Visa, AMEX
number and expiration date).

IV. The Squall™ Jacket: light in weight, yet warm, smart, and surprisingly protective. Just £65.

The Lands' End Squall is named after the kind of weather it's designed to protect you against. Wet, windy weather. (Sound familiar? We have it, too.)

Yet, whatever weather challenges the Squall it is more than equal to the test. Its 3-ply, not just 2-ply Supplex™ outer shell is proof against all forms of inclemency. Yet it is light enough to permit free action.

The shell is treated to resist wet and damp—not waterproof, mind you. We don't make that claim. But the sleeves are lined with Thinsulate™ for warmth, without weight. And extra large storm flap defeats wind which wants to sneak in through the zipper.

Pockets are just where you want them to be, to keep your hands warm when you've forgotten your gloves.

The Lands' End Squall is available in a wide range of sizes and colorways, for both men and women who enjoy the great outdoors—even casually.

Squall Jacket

Colors: Bright Red, Royal Blue
Men: S, M, L, XL
Women: S, M, L, XL
Price £65.00
(Plus £2.95 per order P & P)

To order
please call us free on:

0800 220 106

with credit card information
(MC/Access, Visa, AMEX
number and expiration date).

In summary, let's say it once more: You order, by phone or post. We deliver. Within 10 days. We accept any return, for any reason, at any time. Our products are guaranteed. No fine print. No arguments. We mean exactly what we say: In one word **GUARANTEED!**

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Lands' End, Direct Merchants of fine wool and cotton sweaters, Oxford button-down shirts, traditional dress clothing, snow wear, deck wear, luggage, and a multitude of other quality goods from around the world.

Aristide
man bar
counter

Artists unfurl
as broly for
erupts in Jap

Populist of
the prairie
enters race

Bar
to et

Aristide supporters man barricades to counter Haiti coup

From ALAN TOMLINSON IN MIAMI AND OUR FOREIGN STAFF

FIFTEEN people were reported dead and 120 injured in Haiti yesterday after mutinous soldiers fired at the home of President Aristide.

The casualties occurred when the soldiers from the headquarters of the presidential guard entered Port-au-Prince, the capital, and were met by crowds of President Aristide's supporters, who set up barricades in the streets in response to a warning broadcast over state-run national radio that a coup attempt was under way. According to Fritz Longchamp, the Haitian ambassador to the United Nations, the rebels fired on the

home of the president, who was not there at the time and remained safe yesterday.

A government statement said men in military uniforms abducted Michel Favard, the national radio director, who broadcast the coup warning. He was reportedly led from the radio station in handcuffs. The radio also said that Sylvio Claude, the leader of the Christian Democratic party, was killed and his body burnt in the town of Les Cayes, 130 miles from the capital.

President Aristide, who won a landslide victory last November in the country's first free elections, had just

returned from the United States where he spoke to large crowds of Haitian immigrants in Miami and New York. A radical left-wing priest, Father Aristide has survived three previous assassination attempts, including an attack in 1988 by army-supported thugs at his church, in which 12 people were killed and scores more were injured. The president is an old foe of the military and has been struggling to bring stability to Haiti after decades of brutal dictatorship.

Bursts of gunfire echoed throughout the capital yesterday and barricades were erected and set alight in several areas as politicians called for popular resistance to any takeover attempt.

The uprising began late Sunday with a mutiny at an army training camp at Frides, just east of Port-au-Prince. It was the third since President Aristide took power. Gunfire was reported around the training camp, as well as at the national penitentiary, where several former security officials opposed to the president are imprisoned.

A source close to the military said that the mutiny began because the Ensign Lourd, a motorised vehicle corps formed by General Prosper Avril - Haiti's former leader - believed that it was to be replaced by a Swiss-trained force loyal to President Aristide. The source said that the unit had issued several warnings to Father Aristide in recent weeks to stop the training of the replacement group or face a rebellion.

Two previous mutinies, in the police station in suburban Pétionville and at a small navy base near Lamentin,

were prompted by alleged mistreatment by superiors and ended after President Aristide's intervention. There have been frequent problems between Father Aristide and the army, which had enforced the dictatorship of the Duvalier family before it ended in February 1986, followed by several military-run governments.

The army has, however, repeatedly said that it wants to remove itself from national politics, and President Aristide has replaced most of the previous military high command. In January, Roger Lafontant, a former Duvalierist official, tried to overthrow the interim president, Ertha Pascal-Trouillot, before Father Aristide's inauguration.



Naked eye: Starnesque Nude, a Fauvist painting (c. 1935) by the Chinese artist Lin Fengmian, sold by Christie's Swire auction house in Hong Kong for \$23,021 yesterday in the first international sale devoted to modern Chinese oils

Salvadorean jury strikes blow at military power

Douglas Grant Mine reports from San Salvador on a rare triumph for justice over rampant army repression

THE conviction of a Salvadoran colonel for ordering the killing of Jesuit priests has delivered the first blow against the impunity long enjoyed by the military across most of Central America. Yet the trial might not have taken place if it had not been for international pressure. The United States Congress had made successful prosecution of the Jesuits' killers a condition for continued aid to El Salvador's right-wing government.

Military dictatorships characterised Central America after the second world war but gave way to civilian-led administrations in the 1980s. The military, however, have continued to enjoy power and privilege. In Guatemala, El Salvador and Honduras, right-wing officer corps have contended with varying degrees of left-wing revolution and used "national security" as a pretext for repression.

In those countries, the military has been blamed for the abduction, torture and murder of tens of thousands of real or imagined subversives in the past 15 years. Officers seemed immune to prosecution before last week's Salvadorean trial.

Nine military men, including a colonel and three lieutenants, were tried for the 1989 deaths of six Jesuit priests, their housekeeper, and her

daughter. Colonel Guillermo Benavides, who ordered the killings, was found guilty on Saturday of eight charges of murder. A lieutenant was convicted of the murder of the maid's daughter. They face up to 30 years' jail. The other seven defendants, who had admitted to carrying out the killings, were acquitted.

"Military impunity is still out there, but at the same time it has entered into crisis," said Mr Gregorio Rosa Chávez, the auxiliary Roman Catholic bishop of San Salvador. It was not just nine men in the dock, "it was a system and a mentality that was on trial. What was truly impressive about the trial was the way the whole society, through the jury, stood up to say, 'That way of doing things is not the way to peace'". He added that the church was not, however, satisfied with the acquittals and did not believe the real authors of this crime had been convicted.

Guatemala's army is perhaps the most repressive in Latin America. Last month, seven military men were arrested in connection with

Mobutu clings to the reins of power

From SAM KILEY IN KINSHASA

FRANCE sent in Foreign Legion troops yesterday as an embattled President Mobutu clung to power and his supporters and opponents thrashed out the membership of an emergency government for Zaire.

Although the administration is expected to be composed of politicians who would like President Mobutu to leave the country, he remains chairman of the Comité des Sages, a collection of opposition and Mobutuist party members trying to agree on the structure for a new government.

The Foreign Legion troops, part of a contingent of 800 elite soldiers sent by France to evacuate foreign nationals, drove through the embassy section of Kinshasa in requisitioned cars, but the streets were empty. Since last Tuesday the French troops and an equal number of Belgian soldiers have evacuated more than 8,000 foreigners, many of whom worked in the district.

In the high-kitsch marble palace where the talks are being held, President Mobutu, who met opposition politicians for the first time on Saturday, exuded confidence despite his precarious position. Etienne Tshisekedi, his main opponent, who is leader of the Union for Democracy and Social Progress, was reluctant to shake hands with Mr Mobutu.

Posing for pictures with members of the foreign press, Mr Tshisekedi refused to stand within five feet of the president and only agreed to shake his hand under pressure from photographers. It is rumoured that the president once had a liaison with Mr Tshisekedi's wife.

Once he had finished his handshake, the man widely expected to become the next prime minister of Zaire turned to the press and indicated his distaste for physical contact with the man who after 26 years has brought Zaire to its knees. "You are imperialists," said Mr Tshisekedi.

Many people in Kinshasa, which was devastated by rioting last week, are angry at what they say is a "reunion of thieves". Numerous delegates around the table have served in President Mobutu's government. Mr Tshisekedi is a former minister and his colleague, Nguzu Karl-I-Bond, is a former prime minister who now insists he is a presidential candidate.

On Sunday hundreds of angry protesters mocked the arrival of Mr Mobutu and his opponents at the marble palace, mobbing their cars and forcing their way through its steel gates despite the presence of scores of heavily armed presidential guards. But Mr Mobutu maintained his composure, and even stepped out of his Mercedes to argue with young people calling for his resignation.

Report on Ethiopia accuses the UN

Nairobi - Africa Watch, a leading human rights group, has denounced what it called three decades of Ethiopian military abuses against civilians, and accused the United Nations of failing to expose the suffering. The allegations came in a report entitled *Evil Days - 30 Years of War and Famine in Ethiopia*.

The report said at least 150,000 civilians were killed in civil wars that have plagued the country since 1961. It says the famines over the same period were "largely man-made" and killed at least 600,000 people. Relief agencies have said up to 1 million people died from starvation or disease in camps during the 1984-85 drought alone.

It accused the UN of "denying reports of the diversion of food aid, endorsing untrue government claims and directing aid only to the government side," and said "justice demands that many of those who were responsible for perpetrating human rights abuses during the war should be brought to trial". (AP)

Leading article, page 15

Aquino accepts defeat on bases

Manila - President Aquino of the Philippines has accepted as final the Senate rejection of the military bases treaty with America (Abby Tan writes). She has asked senators to draw up a reasonable withdrawal formula to give the 38,000 workers at the Subic Bay naval base time to find other jobs.

The president told workers' representatives in a televised discussion on Sunday that it was impossible to reverse the Senate's rejection of the ten-year treaty. It was the clearest indication yet that she was withdrawing her endorsement for a national referendum to overturn the vote, due to lack of support.

Visas cancelled

London - Cuba cancelled visas for journalists planning to visit the island for next week's party congress. The congress comes at a fraught period for President Castro's regime. Its staunchest allies are in prison after the failed Soviet coup. Soviet troops are to be withdrawn from Cuba, and Soviet aid is in jeopardy.

Sacking move

Port Moresby - Papua New Guinea took the first step towards dismissing Sir Serei Eri, the governor-general, by informing the Queen. Sir Serei reinstated Ted Diro as deputy prime minister despite an order last Friday by a special tribunal that he be sacked after being found guilty of 81 corruption charges. (Reuters)

Killer epidemic

Dhaka - An epidemic of diarrhoea has killed 175 people in northern Bangladesh in the past two days. Officials said more than 50 were dying a day in the flood-ravaged districts of Nilphamari, Rangpur and Gaibandha, where 400 government medical teams are fighting a losing battle against the epidemic.

Bases clean-up

Wellington - A \$10 million (£5.8 million) operation to remove debris and toxic waste from American bases in Antarctica will start today, said Peter Wilkiss, the polar programmes director of the US National Science Foundation. The scientific bases have been criticised by environmental groups. (AFP)

Protest crushed

Ouagadougou - Police in the West African state of Burkina Faso injured dozens of people when they used tear gas and fired in the air to disperse demonstrators demanding a national conference to discuss democratic reforms. The president, Blaise Compaore, seized power in a bloody coup four years ago. (Reuters)

Election step

Monrovia - Liberia took the first practical step towards free elections when the two sides in the civil war put forward names for a five-member electoral commission, officials said. Amos Sawyer's interim government and Charles Taylor's rebels each nominated ten candidates for the first screening session. (Reuters)

Clean break

Tokyo - Most middle-aged Japanese husbands leave household chores such as making the bed and cleaning shoes to their wives, a survey has revealed. The study, by the Leisure Development Centre, showed that more than 70 per cent of husbands also said they never cleared the table after meals. (Reuters)

Artists unfurl egos as broolly folly erupts in Japan

From JOANNA PITMAN IN TOKYO

A BATTLE of the broolies has broken out in Japan, pitting the sumo-sized egos of two foreign artists against each other and further puzzling their already bewildered Japanese hosts in the process.

Christo, the audacious Bulgarian-born conceptual artist, noted for having gift-wrapped the Pont Neuf bridge in Paris for two weeks in champagne-coloured fabric, is about to unveil his latest three-week contemporary art fancy, "The Umbrellas". At dawn in Japan one week today, 1,340 blue umbrellas, 19ft tall and 28ft in diameter, will be unfurled in a valley in Ibaraki prefecture, 75 miles north of Tokyo. Each canvas and aluminium parasol will be implanted in a 1,650lb steel base, in the middle of rice paddies, a Buddhist temple, a school and in the river.

Some 16 hours later, as dawn breaks over the rolling hills of the Tejon pass, 60 miles north of Los Angeles, another 1,760 oversized yellow umbrellas will go up, scattered whimsically through ranchland, in school and churchyard and in ponds. Christo's monumentally ambitious gesture, which has cost him \$26 million (£15 million) and which he calls his "poetic colonisation of space", appears to have stunned the pride of a rival European artistic resident of Japan.

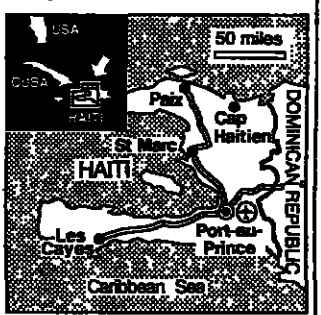
Stephan Koehler, a German-born artist specialising in umbrella sculpture, and an explorer of "the geometric forms of the opened and the closed umbrella", has formed a "guerrilla artists group" to release 1,001 umbrellas in an imperial palace moat in central Tokyo at noon, one day before Christo's own broolly performance. His traditional umbrellas, made of paper, bamboo, oil and lacquer, will

be released from boats "like brushstrokes on a canvas", and as Tokyo salarymen rush past in search of their lunch-time bowls of noodles.

"My umbrellas have not undergone tests in the wind tunnel of the National Research Council of Canada like Christo's. They are a simple evocation of a traditional Japanese craft," he said, adding a sly reference to Christo's unpardonable profligacy and his desire to "make all of us feel small beneath his ambitious artistic agenda".

The two artistic statements will be just as ephemeral as each other. The guerrillas' coloured umbrellas will waft around on the water for an hour before being scooped up and sold or confiscated by the police. Christo's blooming broolly project will be packed away after three weeks and the materials, recycled, leaving nothing in Japan but the artist's sketches, the administrative problems over six years of preparation and 452 puzzled local farmers. Many have been trying valiantly to gather in their crops around the huge umbrella bases.

Christo and his French wife, Jeanne-Claude, have been visiting the farmers and attempting to explain their vision ever since Christo chose and marked the sites for each umbrella in 1988. But most locals remain perplexed. Mr Koehler, whose position as umbrella art impresario in Japan is in danger of being cut from under his feet, seems determined to do all he can to steal Christo's thunder. Soon after his Tokyo effort, he will be repeating his aquatic umbrella performance in Los Angeles. "I'd love to take one of Christo's umbrellas and see if it would float upside down in water," he said.



irreversible." From the Palestinian city of Hebron, where Orthodox Jewish couples are waiting to move into newly built apartments in the heart of the Arab market, to Ariel where Israelis, many of them newly arrived Russians, are looking for an inexpensive first home, the settlement building boom would be enough to start another confrontation between the United States and Israel.

"The Americans call us an obstacle to peace," said Mr Nachman. "All we are doing is providing good housing at good prices for Israelis who want to live in a decent community, not to mention giving Israel the security it needs from future attacks." To illustrate his point, he takes visitors into his office, where an enlarged photograph taken from one of Ariel's balconies clearly shows an Iraqi Scud missile falling towards Tel Aviv moments before it is intercepted.

"I have sent copies of this to

congressmen in America to prove to them that an Israel without the West Bank is undefendable."

That attitude may suit the settlers, but the majority of Israelis, who rarely enter the occupied territories out of military uniform, are showing increasing signs of second thoughts, particularly if it means sacrificing badly needed American financial assistance to help absorb hundreds of thousands of new immigrants. A recent opinion poll revealed that a majority of Israelis, 57 per cent, were in favour of freezing settlement activity rather than forgo US loan guarantees worth \$10 billion (£5.7 billion).

Nicosia: Iran will host an international guerrillas' convention this month to discuss ways of supporting the Palestinian uprising in Israeli-occupied territories, Iran, the Iranian news agency, said yesterday. Invitations would go to 350 "combatant personalities" from Palestinian and Lebanese groups and Muslim countries.

The United States hopes to convene the Middle East peace conference this month, but Tehran and hardline guerrilla groups in the region have denounced the Washington peace initiative. The Iranian conference, on October 19-22, will discuss practical ways of supporting the uprising and stopping the migration of Jews to Israel. (Reuters)

Rival in love dies in gun duel

From JAMES BONE IN NEW YORK

THE ways of the old Wild West die hard when it comes to disputes between two jealous lovers over a woman. A US Navy sailor has been charged in the former frontier town of San Diego, California, under an 1872 law prohibiting duelling after he killed a rival in love in a hail of gunfire.

"It sounds astonishing, even revolting, that this sort of thing would happen in this day and age," said the deputy district attorney, Thomas Nickel. "But essentially one guy called the other up and said, 'This town ain't big enough for the both of us'."

Vernon Isip, aged 39, a sailor for 18 years, arranged to meet Bayani Zuniga, aged 42, outside an apartment block to duel for the woman's affections. "They stepped towards each other fully armed and began firing until their guns were empty," Mr Nickel said. About 15 shots were fired, killing Mr Zuniga and wounding Mr Isip.

"This was what they thought was the noble, gentlemanly thing to do. They wanted to have it out face to face," Mr Nickel said. Mr Isip was charged with duelling, which carries a nine-year maximum term and precludes a claim of self-defence. California law bars a person who kills another in a duel from being charged with murder, a capital offence.



End of the line: An American soldier sorting out power and communications cables at Silopi, Turkey, where Western allied forces have started withdrawing from a base set up in April to protect the Kurds in northern Iraq from attacks by President Saddam Hussein's troops

Populist of the prairie enters race

From SUSAN ELLICOTT IN WASHINGTON

THE Hollywood factor entered the American presidential race yesterday when Bob Kerrey, a Nebraska senator, joined a handful of Democrats challenging George Bush's claim to the White House. He is the putative favourite for his party's nomination, a boyish-looking Vietnam war hero who used to date Debra Winger, the film actress, while he was state governor.

Mr Kerrey's formal announcement came as Democrats were being forced on to the defensive by sweeping arms control proposals from President Bush. The divorced Nebraska politician, aged 48, is a liberal on domestic issues, but he also has strong support from his state's conservative business community.

Seeking to rally voters disgruntled about the lingering recession, Mr Kerrey criticised the "greed that dominated the policies of the 80s" and promised "a fight for what America can be".

A relative newcomer to the national stage, he is a millionaire from a family restaurant chain who portrays himself as a populist of the prairies. More than any of the three declared Democratic candidates so far for next year's elections, Mr Kerrey is able to deflect Republican criticism that he voted against the Gulf war because he lost part of a leg in Vietnam.

Bar mitzvah stakes claim to eternal settler presence

From RICHARD BEESTON IN ARIEL

AS THE favourite son of Israel's right-wing ideologues, it was hardly surprising that Ariel should be lavished with attention at yesterday's bar mitzvah ceremony, marking this settlement town's coming of age.

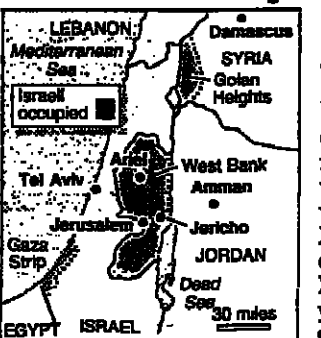
Moshé Arens, the defence minister, and other dignitaries could not miss an occasion to prove to the community's 10,000 settlers, and to the world, that this colony perched on a hilltop in the occupied West Bank is here to stay, no matter what is discussed at the forthcoming Middle East peace conference. The three silhouettes of cranes dominating the Palestinian olive groves in the valley below are indicative of the almost frenzied level of building currently going on not only at Ariel but throughout the occupied West Bank and Gaza Strip.

An estimated 15,000 housing units are currently under construction in an effort to boost the current Jewish settler population by 50 per cent from 110,000 by next year. "These are all sold," said Ron Nachman, the fast-talking mayor of Ariel, pointing at half-built homes mushrooming in the rugged hillside. "That is sold too, and that," he added gesturing at as yet undeveloped plots of land.

"We hope to have a city here of 20,000 people by November next year," he declared. "The facts are totally

irreversible." From the Palestinian city of Hebron, where Orthodox Jewish couples are waiting to move into newly built apartments in the heart of the Arab market, to Ariel where Israelis, many of them newly arrived Russians, are looking for an inexpensive first home, the settlement building boom would be enough to start another confrontation between the United States and Israel.

"The Americans call us an obstacle to peace," said Mr Nachman. "All we are doing is



providing good housing at good prices for Israelis who want to live in a decent community, not to mention giving Israel the security it needs from future attacks." To illustrate his point, he takes visitors into his office, where an enlarged photograph taken from one of Ariel's balconies clearly shows an Iraqi Scud missile falling towards Tel Aviv moments before it is intercepted.

"I have sent copies of this to

A man and his women

Emanuel Ungaro has enjoyed the pleasure of seducing his dream women with his designs for almost three decades, Liz Smith reports

The love of Emanuel Ungaro's life is an imperious diva in a sweep of ruby velvet with a train of amethyst tulle. She is also a Parisian coquette in a plunge-necked, tightly ruffled, short frock. She is a Russian peasant wearing a flowered skirt, top and shawl, and she is Donna Juan in tiers of pleated ruffles and a black lace mantilla over her face. M Ungaro is the Paris couturier who has been dressing her and carrying on a love affair with her for 25 years. "Don't ask me who she is," he says. "She has no name. She is not frivolous. She is decisive and never passive. All my relationships are based on love. That goes for my work, too." M Ungaro's beautiful wife, Laura (they have an 18-month-old daughter, Cosima), seems happily resigned to her husband's dalliances. He is open about his imaginary conquests. "I love the seduction of designing for women," he says.

M Ungaro has always designed with courage, conviction and passion. Today, as he assembles almost three decades of work for a book celebrating the 25th anniversary of his couture house, it is important to remember that under the excesses of his flamboyant design — the rampant colour and clashing prints, the ruffling rucks that would every curve and the ruffles everywhere — is a pure architectural line and a technically perfect cut. Known for his curvy jackets and fuzzy mix of patterns, he is a designer disciplined in the strictest tailoring tradition and a disciple of Balenciaga, for whom he worked for six years. In the glamour decade of the 1980s, he purveyed an almost cloying femininity to his rich customers, yet as the son of Cosimo Ungaro, a tailor, in Aix-en-Provence, he began his career making suits for men.

At 22, Ungaro arrived in Paris. Five years later, in 1960, when André Courrèges left Balenciaga to set up his fashion house, Ungaro took his place beside the maestro. "I stitch-

M Ungaro's first sculpted trapeze coats with stand-up collars and sleeveless dresses were in the 1960s mould set by Courrèges. Although they were an immediate hit, the designer realised he had to find his own image. He pioneered the use of prints mixed with tailoring fabrics, working with Italian textile designers to evolve his colourful signature style. "By instinct I went for flowers, romance and baroque decoration," he says. He linked cut-out plastic flowers in see-through shift dresses. He is amazed at the daring of some of those designs. "I took risks. The nice thing about being young is that you have no past. There is nothing to lose," he says. His customers included Jacqueline Kennedy, Marella Agnelli, Diana Vreeland and Anouk Aimée, with whom he had a longstanding relationship and who still has a front row seat at his shows and attends celebratory dinners afterwards.

"All those women have a masculinity, a strength of character," he says. "If I had listened to the press when I first mixed my fabrics together I would not have gone on. But my customers voted in favour of it."

In 1968 he launched his first ready-to-wear line, Ungaro Parallele. Today there is a string of licences, including the lower-priced Solo Donna and younger Ungaro Ter. Diva was the first Ungaro scent in 1983. Nastassia Kinski was the face that launched Senso, his second, in 1987. The newest, Ungaro, is packaged in a bottle etched with his trademark draping and boxed in the familiar Ungaro colour clash of purple, green and pink. His is a privately owned fashion empire, a situation he considers heroic in the present economic climate. "The couture business is very different today from 25 years ago. The competition is stronger. I understand

when Yves Saint Laurent talks about his anguish. But I won't ever stop. It is difficult to continue creating. But it is more difficult to give up."

ed his linings. I passed him pins. I had the chance and happiness of working with him for six years. I carry on his method of working." In 1965 he left Balenciaga to set up his own fashion house with just four staff. For his début collection of just 17 outfits the Chambre Syndicale had waived the rule that each couturier must show a minimum of 75 outfits. "I could draw you every one of the 17 models today," M Ungaro says.

Someone else who could probably draw them today is Jeffrey Wallis, the founder of Wallis shops, who supplied his customers in the 1960s with line-for-line copies of Paris couture clothes. The fee, or *droit*, paid for each buyer to attend a couture show, bought the right to reproduce one model or pattern. As well as the four or five models bought, another dozen outfits could be later made from memory. "Fashion should be show business, and we kept the excitement of it buzzing," Mr Wallis says. Mannequins in Wallis shop windows wore canvas covers in the run-up to D-day, delivery day for the Pick of Paris line, when Mr Wallis would cut the ribbons to reveal the latest Paris fashions. Ungaro, Courrèges, Chanel and Dior, were stars of the show. M Ungaro remembers Mr Wallis's flattering concentration at his shows. "He watched the coats intently. Then when the dresses came out he shut his eyes so as not to lose the detail of the coats in his mind."

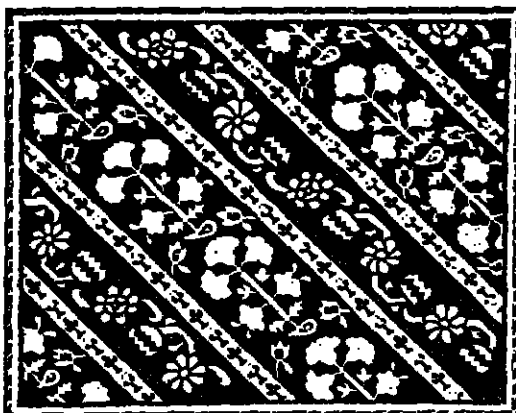


Made to please: main picture, polka dot ruffles in Emanuel Ungaro's typically coquettish, contemporary style; above, the designer moulding a toile on a model; below, 1960s style, sculpted tailoring, right; and space age daring



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The functional furniture that was born of wartime shortages has a classic appeal

Utility back in demand



Simple effects: a Festival of Britain "bachelor girl" bedsit shows Utility's influence

by law to use in their homes, many felt that the strain of maintaining a traditional way of life had become intolerable. However, the British — being the British — soon accepted with not wholly good grace the inevitable. Fifty years on, a book on the subject of utility furniture makes it clear that the inaugural examples of these plain and sturdy items were not welcomed by the public — nor by the manufacturers constrained to produce nothing else. The only people who seemed delighted were the designers — most notably Gordon Russell, for whom the

scheme was little less than a godsend, allowing him to put into practice the precepts he had been maintaining since the early 1930s. He was in favour of "sound, plain and functionally satisfactory furniture... austerity and utility have useful asstringent qualities". Such a doctrine of sound, plain furniture helped sweep Habitat to prominence in the 1960s, but during the war, when deprivation already ruled, it smacked too much of the disciplinarian who advocates cold showers as a cure for all ills.

The scheme arose from the chronic shortage of timber as a direct result of war, as early as 1939 ideas were discussed, but the advent of the Blitz made the need for "standard emergency furniture" vital. The government demanded quality, while insisting on the use of the minimum raw materials. The results were straight-sided, strong and practical chairs, sideboards, tables, bedsteads, kitchen cabinets and dressers that eschewed all decoration — applied or carved, as well as even lathe-turning — because of the extra labour involved. All the furniture had a framework of

solid oak (or, more unusually, mahogany), while the panels were plywood, veneered with oak. Apart from the heavy brown stain unacceptable to the modern eye, designs are generally appealing — but during the 1940s the public preferred cosy, homely, curvy furniture, the better to tone in with old or else Tudor/Elizabethan houses. Utility simply did not fit the bill.

Even after the war ended in 1945 the utility scheme — along with rationing — continued. However, some people came to appreciate the quality and value, if not beauty, of many of the pieces. Their classlessness and lack of choice also appealed, in the way that school uniforms are still generally preferred. Companies such as the Swedish Ikea group today actively promote their "no frills" wares, and even during the booming 1980s Habitat did well with a range called "Basics". And good and genuine examples of utility furniture are now fetching three-figure prices in the sale rooms and specialist shops. They are recognised for the very qualities their original owners felt they lacked: tradition, Eng-

lishness and homeliness. Nostalgia plays a part — but for people in the 1940s, who had no choice, the end of the utility scheme and the Festival of Britain opening in 1951 did little to alleviate their dislike of the furniture — all the light, bright and elegant furniture presented to bedazzled audiences then was destined for export. For the British, the corner had not quite yet been turned, and the good times — as usual — were still to come.

JOSEPH CONNOLLY

Home Front Furniture: British Utility Design 1941-1951, by Harriet Dover, published by the Scolar Press, £30.

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The things you hear when you're in heaven

Simon Rattle talks to Paul Griffiths about his exciting season with the CBSO



On the morning before the opening of the City of Birmingham Symphony Orchestra's first complete season in Symphony Hall, Simon Rattle is describing the orchestra's new home.

"Heaven. Just gorgeous. Of course, it takes time to learn, like any great instrument. It also sounds better the better you play, which is not always the case. And our subscriber loyalty seems to be holding up despite the number of visiting orchestras coming here. The concert at the end of October with Henze's Seventh Symphony is already sold out. That warmed my heart: thank God they're not just going to the Leipzig Gewandhaus playing Beethoven."

But Beethoven is featured strongly in Rattle's own programmes this autumn, with a piano concerto cycle coming out of a close musical relationship with Alfred Brendel. "I always wanted to do it with him, and we talked a lot about the programmes that would go around: the Schoenberg Variations and Mozart's No 40 are two of his peaks of Western civilisation. He's also a wonderful conscience and pair of ears. If I have a tape,

I take it to him to be decimated."

The Schoenberg Variations will be first for Rattle and the CBSO, and also, a fortnight later, a second. "It's fair that people should have more than one opportunity, though I wouldn't quite do what von Bülow did with the Beethoven Ninth and play the whole thing again after the interval. Orchestral musicians, too, find Schoenberg harder to play and harder to come to than almost anything else. It's partly because he had no patience at all with practical details, but also it's music that's very uncomfortable to be alone with for a long time: that's part of its power. It's like having all of Schiele's nudes on your bedroom wall. That type of claustrophobic power. But also there are some things I find very funny, very amusing: that little waltz with mandolin and harp — gold-fish-bowl noises. Altogether I had to wait until I was ready for the piece, and until the orchestra was ready."

Does that mean he consciously paces his repertoire? "Only in the sense that you wouldn't do Bruckner Nine before you'd done Bruckner Seven. And I'm a rather slow learner. I'm glad to know that Don Giovanni at Glyde-

bourne is not until 1994." As for what the learning process involves: "I read whatever helps it to cook, but it's best to do all that a very long way ahead. As is listening to other people's musical solutions. Or after a run of

performances you can go back and see, and you'll say: 'You sneaky old bugger!' And it's different if you learnt from someone other than another conductor?"

"Often that's very much more useful. I saw Simon Callow do all of *Faust*, in David Freeman's production, and Beethoven has not been the same since. If Goethe is that wild... Maybe it gave me more courage. In a way, it's the challenge to face all of the things in the music that are

stretching the form. It helped me try and homogenise it less." Which was the same lesson, surely, that was coming out of period instruments. "I have a lot of arguments with performers: there was a cult of the single tempo, and maybe a cult of ugliness also. But the best players are becoming less dogmatic."

Certainly orchestras are going to have to take on board things that have been discovered with period instruments, but the same goes the other way around. There has to be a synthesis. And I'm delighted with what we're achieving here in Haydn and Mozart: doing the same pieces with the CBSO and the Orchestra of the Age of Enlightenment, one just has to ask for opposite things."

The CBSO, the OAE at Glyndebourne, two or three concerts a year with the Berlin Philharmonic and some American dates: these have become Rattle's regular fixtures, and they do not include much

work with the London orchestras. "I live in Birmingham. I have a family. I'd rather have more breathing time than charge down to London; and now that the CBSO play as they do, there's not an enormous prospect."

One tantalising prospect is the *Pelleas*, directed by Peter Sellars, which Rattle will conduct in Amsterdam and elsewhere in 1993, with a cast including his wife Elise Ross, Philip Langridge ("his favourite opera: he's always wanted to do it"), Willard White, Robert Lloyd and Felicity Palmer.

Meanwhile EMI is releasing a recording of *The Cunning Little Vixen* he conducted at Covent Garden last year, in English. "The Czech language, of course, was very important to Janáček: its sounds, its rhythms. The Czech language, however, as sung by 35 children from south London...

"I like doing one opera a year, whereas I'm not sure about a closer involvement with an opera company. The other day somebody asked me when my Birmingham contract expires, and I couldn't remember. I still haven't got around to looking it up."

CINEMA

All too quiet on the Eastern front

Consider the case of Andrei Mikhalkov-Konchalovsky. Born into a distinguished artistic family, by the mid-Sixties he stands in the vanguard of the new Soviet cinema. He collaborates on the script of Tarkovsky's mould-breaking historical epic *Andrei Rublev* and directs two fresh, lyrical features — *The First Teacher* and *Asya's Happiness* — alive with the physical beauty of the Asian steppes and weather-beaten farm workers from the Volga. After making time, he brings off an epic of his own, *Siberiade*, gets noticed abroad, and moves to America in the early Eighties.

Ditching the first barrel of his surname, Konchalovsky falls in with Golan and Globus, Israeli entrepreneurs endeavouring to take Hollywood by storm. Konchalovsky's new forte is melodrama with cultural pretensions. He makes a pig's ear of the fanciful *Shy People*, but turns *Rainaway Train* into a palpably exciting thriller. The die is cast. Next stop: *Tango & Cash*, with Sylvester Stallone in rimless specs and sculptured hair as an up-market cop working to bring down Los Angeles criminals.

Though a decline was already evident in his Soviet work, the gulf between *Andrei Rublev* and *Tango & Cash* still takes the breath away. Here is a cautionary tale for any of Konchalovsky's colleagues in Eastern Europe, eyeing prospects of a career abroad amid the chaos of their local film industries.

When communist governments collapsed like napkins in 1989, the state-funded network of film studios, distributors and cinema chains quickly tottered. Money dried up; bureaucrats bickered. Students and the youngest filmmakers may have revelled in the first flush of freedom, but creative inertia crept over many more.

For the communist state was more than a paymaster; it gave Eastern film-makers a fixed point of reference, an inexhaustible topic for veiled criticism or songs of praise. When glasnost arrived,

Geoff Brown asks what the future holds for East European directors now that the state-funded film industries have come to a standstill

freeing his banned films in the process, Soviet director Alexei Gherman promptly experienced the cinematic equivalent of the writer's block: the times were too confused to knead into art.

He was not alone. Last year the Czech film industry managed five features; a few years before, the total was 30. Polish production has fallen to 10, and the industry has been frozen by economic plight. Hungarian output has likewise plummeted. "Instead of Hungarian filmmaking," director István Szabó declared last year, "there's mostly Hungarian intrigue."

Pushed out into a market economy, some studios have found partial salvation by welcoming outside producers. Large advertisements appear in America's *Variety*. "A staff of 2,500 skilled filmmakers... now aggressively seeking quality co-productions." Thus, a July advert for Lenfilm, St Petersburg home of classics such as the Maxim Gorky trilogy.

From the numerical standpoint, Konchalovsky's compatriots are among the lucky ones. 1990 saw the Soviet Union's feature film tally soar to 350, from 150 in 1989. (France last year managed 149; Britain, 27.) Qualitatively, however, they seem in ragged shape. By removing film-makers' fetters, glasnost has encouraged a stylistic free-for-all, and an unrelenting obsession with every social ill previously swept under the red carpet. Careful, considered works still get made. Aleksandr Sokurov's *The Second Circle*, for

one — but many films resemble headless chickens frantically running hither and yon.

Going westwards to America has always posed problems of assimilation. History can point to some successes. In the Twenties, Hungary gave Hollywood Michael Curtiz, master entertainer of *Casablanca* and *Mildred Pierce*. Alexander Korda, directing in Hungary from 1916, passed through Germany, Austria, Hollywood and France before hanging his hat in Bighty, and establishing his kingdom at Denham Studios.

More recently, Roman Polanski grafted Middle European angst onto *Rosemary's Baby* and *Chinatown* before legal problems drove him back across the Atlantic. Milos Forman — who emigrated after the tanks rolled into his native Prague — has his Oscars to polish, though *One Flew Over the Cuckoo's Nest* must be set against the anonymity of *Amadeus*, or the foolishness of *Hair*, an outdated peasant to the hipie musical which overwhelmed Forman when he caught its off-Broadway production in 1967.

But the odds increasingly seem stacked against successful transplants from East to West. The factory-belt methods of old Hollywood may be gone, yet the mainstream American industry still creates films by committee. In comparison, the best European films are largely hand-crafted by the director, working closely with the scriptwriter and cameraman, guiding a personal project from its original conception through to the cinema screen.

Low European budgets allow for freedom, improvisation, catching life on the wing. High American costs mean a set timetable, a commercial formula and an accountant perched nearby. Directors from the East have equally little experience of the superstar mentality; they are only used to non-nonsense professionals, equally adept at stage, screen or television.

So what is a poor Soviet or East European director to do? There



Celebrating Western hippie culture: Czech Milos Forman's *Hair*, with Treat Williams and Charlotte Rae

seem three chief choices. The first is to stand still and hope the local dust settles, production stabilises, and the commercial imperatives of the new market system allow the creative juices to flow. The second is to jump the coop and go Hollywood, provided one has the willpower, the confidence, the command of English, and an internationally successful film to pave the way. Few directors from the East can claim all these attributes.

The third choice involves moving just a little bit west, to the countries of the European Commu-

nity. Beginning with *Mephisto* in 1981, István Szabó collaborated regularly with West Germany; after *Meeting Venus*, the ultimate European film, he is well placed to spread his wings further. Krzysztof Kieslowski, with the Polish-French *Double Life of Veronica* behind him, seems destined to go the same route, and has already given his rationale: "It is not important where you put your camera, but why you put it where you do."

Yet this is easy to say. Imagine Kieslowski's *Dekalog* cycle removed from its grey, grim Warsaw

housing complex and transferred to a Brooklyn apartment building. The Ten Commandments may remain, but the changed social texture would inevitably demand different characters and stories. Most directors, like any artists, bounce their creativity off outside stimuli, and without the familiar "where" of home, the "why" can very easily change. For the best chances of maintaining integrity, Soviets and East Europeans should keep home at least within hailing distance, and put the Bermuda shorts to one side.

BRIEFING

Another head lost

AN IMPORTANT Van Dyck portrait has been lost to the nation following a row over its valuations, which have ranged from £1.3 million to £4 million. The Reviewing Committee on the Export of Works of Art has now recommended a valuation of £2.5 million for the portrait of Charles I's henchman, the Duke of Hamilton. The National Portrait Gallery wanted to buy it, but director John Hayes says his museum would not attempt to raise the funds because the portrait was "priced far in excess of its market value". Its new owners, the private galleries of the Prince of Liechtenstein, have now been granted an export licence.

Zola as broker

TODAY is the hundredth anniversary of the publication of what is generally regarded as the world's first "financial" novel, Emile Zola's *L'Argent* (*Money*). The author spent months at the Paris Bourse, researching the world of money-lending and stockbroking. The Emile Zola Society is marking the centenary tonight at the Institut Français (071-589 6211) with a public discussion about the novel's accuracy and relevance.

Last chance...

THE finest Britten stagings in recent memory have come from Tim Albery. His superb English National Opera production of *Billy Budd* — murky motives and moral agonising on the high seas — has been revived with a strong cast led by Peter Coleman-Wright and Philip Langridge. Last performance is on Thursday at the Coliseum (071-836 3161).

RADIO

Art and no Moz from the pundits

WHILE Mozart was still decomposing, some mischievous wag forged a letter which purported to reveal the great little Salzburgers' mental procedures. In "a pleasing lively dream" Mozart apparently sat and took dictation from his muse. This essentially Romantic view of his imagination has held sway ever since, and with justification. The

forgery gained currency precisely because of its probability. Opposing this writing-by-the-muse theory is the Alastair Maclean effect, by which comical skeletons miraculously acquired flesh years after the death of their author. In Mozart and the Creative Process (Radio 3, Sunday), Cliff Eissen sought to modulate the popular notion of the

composer as an effortless conduit for divine inspiration. Eissen is an expert, a North American, and an audible page-turner. He is a small apparition of the fearsome Wolfgang Squad which scours central Europe for the watermarks of obscure 18th century paper mills for the purpose of dating Mozart's manuscripts. At the podium, he resembled a

million. What a sentence, indeed: all Art and no Moz.

Were it not for the Luftwaffe, Al Bowlly might have enjoyed a mature career as a senior statesman of pop music. Instead, he is condemned to be memorialised by Roy Hudd in a six-part series on Radio 2 (also Sunday). The Greek-Lebanese South African crooner who

entranced pre-war Britain has famously been boosted by Dennis Potter, whose television dramas *Moonlight on the Highway* and *Pennies from Heaven* took their titles from Bowlly recordings. Tweed-jacketed buffoons of the Seventies have much to answer for, with their

drab espousal of that emollient and wonderfully meaningless voice. Still, the man known to his fellow band members as Joe Sex remains a considerable phenomenon, and it is an impressive achievement of Hudd's folksy blather that it encourages the casual listener to look forward to the next record.

MARTIN CROPPER

ARTS REVIEWS
Opera and concert
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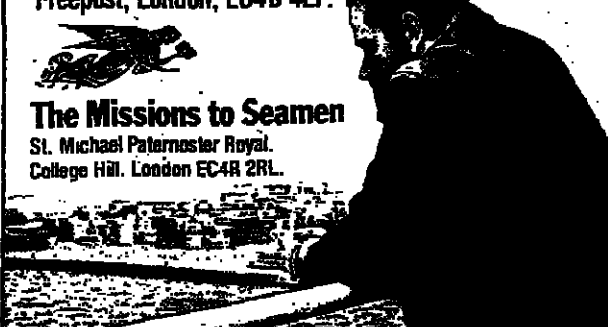
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HALF-YEARLY, HALF-BAKED

The "agenda for sanity" awaiting Britain's forthcoming presidency of the European Community is lengthening by the week. The first item when Britain takes over the chair next July should be a drastic review of the concept of the six-monthly presidency itself, with its premium on half-baked "initiatives" and its inability to tackle long-running problems such as agriculture or trade.

By all accounts, the Dutch "federal union" plan, the one fruit of its presidency so far, was cobbled together by a junior minister with scant consultation with his prime minister or foreign minister and even less with other European states who would be expected to approve it. For all the insistence by Ruud Lubbers, the prime minister, that the plan has his and his cabinet's approval, it is clear that it came about by default. Mr Lubbers was preoccupied with domestic political squabbles, and Hans van den Broek, the foreign minister, had all his attention taken up with Yugoslavia.

It was left to Pict Dankert, a former socialist MEP and standard-bearer for the federalist cause, to revise the Luxembourg draft. Instead he sprung on his squabbling cabinet colleagues and an astonished Community a federalist manifesto that tears up all the hard-won compromises and delicate fudges put together by the Luxembourgers when they held the presidency. It is a diplomatic blunder, aggravated by Mr Lubbers' refusal to repudiate such nonsense.

The countries of Western Europe are now discussing how far they should combine to achieve collective internal and external goals and how far they should embrace the emerging democracies of the East. The six-monthly presidency subverts this process. It encourages member governments to push forward schemes irrelevant to the EC's real difficulties or likely to make them worse.

This in turn puts an immense burden on the more senior European leaders to plead, as Margaret Thatcher did, that the European Community should not run before it has learnt to walk. The more cautious European diplomats tacitly relied on Mrs Thatcher to haul the EC back from its six-monthly brink, while publicly reviling her for it.

THE BLIND AIDING THE BAD

For the past 30 years suffering has become a way of life for Ethiopia. Drought, famine, disease, tyranny, slaughter and civil war have killed well over a million people, left millions more homeless and starving and shattered the fabric of this ancient land that it is now virtually unrecognisable. Related attempts by the world community to stave off mass starvation are pitifully inadequate. Aid has come too late. Mountains of grain rot on the quayside. The fissiparous political groups that overthrew the Mengistu tyranny have no grip on the country. Corruption and bureaucracy vitiate all international relief and sap the morale of a dispirited people.

A new report says much of the suffering could have been avoided if the world had taken a tougher stand. For too long, according to Africa Watch, an international human-rights monitoring group, the United Nations kept quiet about military abuses against civilians. These began with the brutal crackdown against Eritrea, under Emperor Haile Selassie, and continued on a far bloodier scale with Colonel Mengistu's Marxist terror.

The UN knew what was going on, but denied reports of diversions of food, endorsed untrue government claims, and directed aid only to the government side. It was left to voluntary agencies, shamed by the ghastly pictures of Mengistu's war and his man-made famines, to tell the truth.

Ethiopia is not the only example of UN hypocrisy over Third World tyrannies. But until recently the politics of the automatic majority in New York always sabotaged Western insistence on implementing the UN charter principles in Africa and the developing world.

Cold-war rivalry allowed tinpot dictators to play off East against West. Their atrocities

In November last year, the Great Excuse was toppled with the change at 10 Downing Street, and the weaknesses of the six-month presidency system was exposed. John Major deserves credit for risking the whole edifice of his new, emollient European diplomacy by opposing the Dutch plan. There are forms of political co-operation that need re-fashioning, as the Middle East, Yugoslavia and relations with the East have shown. It is even possible that existing mechanisms through the Council of Ministers are not adequate to support this co-operation. But no glimmer of recognition, either of the obstacles to such co-operation or of the inadequacies of a "parliamentary" federalism, are evident in the Dutch plan.

These troubles will continue unless something is done to reform the system that gives rise to them. Britain should prepare plans now, as drastic as those adumbrated by Italy and The Netherlands, for making a reality of European co-operation. The British initiative should be an anti-initiative in favour of consistency, against letting each nation run off with the EC presidency as if it was a game of pass-the-parcel. At the least, the presidency should become joint: this half-year's presidency being rolled into one with the last and next, so that the three work together and restrain each other's wilder ideas.

Each "presidential nation" would serve the joint presidency for three half-year periods, and every six months the longest serving nation would retire to be replaced by the next on the list. This would build on the present "troika" system, one of the informal bits of the Community machinery that works best.

Whatever Britain proposes, it must ensure that decision-making remains firmly in the hands of member governments and is not subverted by swift footwork by the Commission. It must ensure that the EC presidency is used for the good of all, not simply for the national interest of the nation which happens to hold it. And it must ensure that policy develops smoothly rather than in zig-zags. Otherwise, despite all the rhetoric of a "new Europe", the EC will become nothing but a new European fiasco.

against their own peoples were "internal affairs" and therefore taboo. The clichéd charge of imperialism was still sufficiently wounding to inhibit Western attempts to tie aid to good government. The hapless UN officials could only wince while mouthing bland excuses for the wretched regimes to which they were delivering aid.

Hard-headed governments had virtually written off UN emergency aid. The world body seemed incapable of reacting with speed or efficiency. Its bureaucrats, afraid of offending the host government, could not supervise distribution with the same energetic commitment and brusque impatience of private agencies. Its cherished political neutrality kept it out of politics when it should have been telling recipient nations some hard political truths: for example, that the forced resettlement of Ethiopian villagers was a brutal and stupid policy that would only aggravate the natural famine.

Fortunately the new realism is seeping through to New York. The Kurdish tragedy blurred the artificial distinction between internal affairs and inter-state relations. Britain's initiative over the safe havens showed the UN that swift humanitarian action is not always hostage to dithering by international committees thousands of miles away.

The philosophy of only backing "good government" already governs Britain's aid policies, and is quickly becoming the yardstick for European Community actions. And given the remarkable general consensus among the Big Five in the Security Council, UN officials feel freer to speak out on the political causes behind much human tragedy. That is good news for the United Nations, and better news still for the suffering people that look to it for succour.

A DEBT TO THE BUREAUX

More people are turning to citizens advice bureaux for help, largely because of poverty, debt and unemployment. But the CAB movement finds itself stretched up to and sometimes beyond its limit, even closing down offices. Though largely funded from public-sector sources, it is proud of its place in the voluntary sector and on its reliance on a blend of paid and unpaid staff. But the nature of such a movement is to live hand-to-mouth, and when it pleads urgently for further financial help it deserves a response.

Debt in particular is a problem generated by the way credit was over-marketed in the late 1980s. The financial institutions which profited then, cannot walk away now. Indeed, it is by encouraging the good management of debt by individuals who have unwisely incurred too much of it that the institutions give themselves the best chance of seeing their money again. Yet the CAB movement has traditionally been treated mainly by the private sector. Of its total income, less than half a million pounds comes from such sources.

Either directly, or through the Money Advice Trust set up specially for this purpose by a former deputy governor of the Bank of England, Sir George Blunden, the private business sector must do more. Otherwise, the government will have to take seriously the proposal for a compulsory levy on money lenders to pay for debt counselling, which is to be proposed at this week's NACAB annual meeting in York.

At present, the CAB movement is too reliant on public funds. CABs form a national

network, with NACAB as the co-ordinating body. Central government pays funds directly to NACAB—about £10 million a year, covering nearly the whole national office budget. Local CABs get some benefit from this too, but depend largely on local authority grants totalling £27 million a year. With exceptions, such as British Telecom's commendable support for telephone-advice services, industry and commerce have yet to accept their parallel responsibilities.

A measure of independence is vital in the voluntary sector, particularly where a large part of the work-load is generated by local and national government policy. But if a local CAB is dependent on a local authority grant which is cut when the authority is charge-capped, the bureau may have to close, as in Lambeth, Camden and North Shields. Council grants to CABs are discretionary, which is why they fall early victim to cost-cutting. But CABs are cost-effective. They help citizens in great need. They are a countervailing power to that of government. They deserve a higher priority.

Rights are no use unless citizens are aware of them, and how to claim them. John Major's Citizen's Charter depends on citizens' advice. CABs—indeed, voluntary, non-partisan—are the right way to provide it. They must be supported by a partnership between national government, local government and the private sector. If the private sector refuses to pull its weight the government must squeeze it, while standing ready to bridge any temporary gap.

LETTERS TO THE EDITOR

1 Pennington Street, London E1 9XN Telephone 071-782 5000

European unity and preparing for Maastricht summit

From Dr Alan Sked

Sir, Why should a tour of European capitals (report, September 26) help salvage the negotiating position of our poor prime minister at Maastricht in December?

In January, when Mr Major visited Paris, President Mitterrand told him nothing of the French plans, which were announced at the UN only one hour later, concerning the Middle East.

In March in Bonn, on the very same day that he was conducting his "love-in" with Chancellor Kohl, the CDU/CSU foreign affairs spokesman, Herr Lamers, made a bid for German joint control of the British nuclear deterrent.

After his "triumph" in Luxembourg in June we were told that references to "federalism" would be taken out of the draft treaty on European union. Yet they now have reappeared with a vengeance.

The question which arises is: does anyone in Europe take John Major seriously? Surely it is clear that his partners are planning to "ambush" him at Maastricht in exactly the same way that they ambushed Mrs Thatcher in Rome?

In the light of the Dutch proposals would it not be better for the prime minister to stay in London and declare his intention to veto the treaty unless others visit him with their concessions? In this way his now shattered credibility might be restored.

Yours faithfully,
ALAN SKED
(Member, Bruges Group
Academic Advisory Council),
Flat 3, Aberdeen Court,
68 Aberdeen Park,
Highgate, N5,
Highgate, N5,
Highgate, N5.

From Mr Andrew Stobart

Sir, In matters of treaties the fault of the Dutch is offering too little and asking too much. The rest are with equal advantage content. So they'll keep us all sweet till our money is spent.

(after George Canning).

Yours faithfully,
ANDREW STOBART,
Walnut Cottage,
Great Ouseburn, York.

From Sir Peter Hordern, MP for

Horsesham (Conservative)
Sir, Keith Joseph's case ("Casting a veto for Europe", September 26) that the government should veto the idea of a single European currency and a single central bank is, as always, powerfully made. Yet it is by no means certain that a move to one currency and the central bank would, as he suggests, involve a supersede in some federal form. Nor is it the case, as some argue, that a European central bank and a single currency would necessarily mean an unacceptable loss of our sovereignty.

For very many years, at the height of our imperial and economic fortune, sterling's value was dictated by the price and supply of gold. Nobody suggested that we had abandoned our sovereignty to Californian, South African or Australian goldminers. Nor were we any less free under Bretton Woods when the value of sterling was tied to the dollar.

Whatever might have been the case, after the collapse of fixed exchange rates inflation has not

been controlled as it should have been. Our economic sovereignty has in fact meant the sovereign right to devalue whenever the going gets tough. Industry has found that, in the last resort, it was always possible to pay higher, unearned wages, because the pound would be devalued against other, competitive currencies.

We need a new discipline if we are to control inflation. That is what the exchange-rate mechanism provides. If this leads to a common currency and a European central bank with a mandate to control inflation and the necessary power to achieve it, so much the better.

I share Keith Joseph's vision of an outward-looking, non-federal, free-trading Europe. I cannot see why a European central bank, controlling inflation through restricting the supply of a common currency, should not function perfectly well within such a system. And for sterling to stand alone against the dollar, the yen and a European currency may not even be practical.

Yours faithfully,

PETER HORDERN,
House of Commons,
September 28.

From Mr Peter Saynor

Sir, On the same page that Keith Joseph argues against a common currency for Europe, Bernard Levin reports that one of our rapacious banks charged him more than 20 per cent commission to change the money he brought back from Italy. Can we afford not to have a single currency?

Yours faithfully,
PETER SAYNOR,
Flat 17, 120 Wigmore Street, W1,
September 26.

Booker shortlist

From Mr Conrad Goulden

Sir, As Jeremy Treglown points out (September 28) this year's Booker committee is made up of himself (a former editor of the most high-minded British literary review) and a group of established novelists who, I would say colloquially, all have "it cred".

It is surprising therefore that the majority favoured the type of fiction that has most appeal to the small catchment of residents of London NW3, the heartland of all that is retrogressive to the development of serious writing outside the confines of this literate enclave?

The admirable dedication of Booker in sponsoring this award over many years has succeeded in building a broad constituency of readers who respond by buying some or all of the titles on the short list. The narrow range of this year's selection is, I believe, dangerously close to alienating this fragile market.

Yours faithfully,
CONRAD GOULDEN,
12 Eglinton Road, Putney, SW15,
September 28.

Wedding costs

From Mr R. G. C. Rock

Sir, Where did you and your wedding magazine (report, September 26) get the idea that the minimum church fee for a wedding is £15?

The statutory fee for 1991 imposed by the parochial fees order 1990 for marriages in the Church of England is £47 for the service, plus £2 for a marriage certificate and £6 for the banns. If one of the parties lives in a different parish there is an additional £9 for the calling of banns there. This totals £55 at the very least and I do not know of any church which does not in addition charge permitted extras to cover their overheads.

With the services of the organ, choir and bellringers which most couples prefer, you are talking about £150 absolute minimum to cover fees even in a modest village church.

Yours faithfully,
RON ROCK,
110 Whitestone Road,
Nuneaton, Warwickshire.

Slave trade

From Mr Timothy Coleman

Sir, Having read today's Political Sketch I wonder if Matthew Parris would be prepared to appear in a spangled leotard and tell us all which performance of Aida he attended and heard the "Chorus of the Hebrew Slaves". Normally one hears it in Nabucco.

Yours sincerely,
TIMOTHY COLEMAN,
13 Chester Close, Barnes, SW13,
September 26.

Pre-election fever

From Mr Neil Johnson

Sir, Whilst I share Lord Jenkins's distaste for pre-election fever (September 24), I question whether it has any bearing one way or the other on the case for a fixed-term parliament. After all, there are fixed terms for all elected offices in the USA, but that does little or nothing to inhibit pre-election fever.

In contrast, France has discretionary dissolution of the National Assembly and seems to catch election fever only in short sharp spasms. Surely the reality is that we suffer from extended pre-election fever because so many people, and especially those with scope for influencing the public, enjoy it.

The constitutional case for a fixed-term parliament is (and always has been) that it would tend to strengthen the elected chamber vis à

Church and school

From Mr G. W. Taylor

Sir, Cardinal Hume should perhaps reflect on the present state of education administration in his own diocese before criticising (report, September 25) the government's educational reforms.

With but three full-time officials to look after 230 diocesan schools it is not surprising that it can take up to a year to have notice taken of a school's requirements. Ideas and discussion upwards are not encouraged.

It is already apparent that pupils and teachers are beginning to benefit substantially from the introduction of the national curriculum. I have personal experience of these benefits from being a governor of both a Catholic primary and secondary school. We receive a great deal of help and support from our local authority.

This is in stark contrast, sadly, to the negligible assistance from our own Westminster diocese, who seem intent on fighting yesterday's educational battles.

Yours faithfully,
G. W. TAYLOR,
33 Royal Avenue, Chelsea, SW3.

From Mr Peter Bottomley,

MP for Egham (Conservative)
Sir, The two opening paragraphs of Kenneth Baker's major Education Reform Act 1988 read:
It shall be the duty (a) of the Secretary of State as respects every maintained school; (b) of every local education

'A faraway country'

From Mr James Gore Browne

Sir, Julian Brazier, MP (September 25), steps neatly into the shoes of many of his illustrious Conservative forbears, becoming the fact that if a "peacemaking" force was sent to Yugoslavia "thousands of British Servicemen might be killed in a

cause remote to the Queen and country they volunteered to serve".

What he needs to come to terms with is this country's membership of the European Community. If the vital interests of the European Community are in any way threatened by the goings on in Yugoslavia then it is incumbent upon the European Community to take appropriate steps to defend its interests.

If he is suggesting that the loyalty of the British army should only be to Queen and country then I think he is mistaken. The loyalty of the British army should be to Queen, country and the European Community. I do not believe it is beyond the wit or the will of the average combatant to understand this proposition.

Yours faithfully,
J. GORE BROWNE,
30 Firs Road,
Houghton on the Hill,
Leicestershire.

used for party advantage and so encourage speculation about an election is not a conclusive argument against retaining it.

Lord Jenkins might note too that there are several European countries blessed with fixed-term parliaments and proportional representation where there is a growing body of opinion critical of the resultant impossibility of bringing about within a reasonable time span any political change at all.

Though election fever grates on the nerves of some of us, perhaps it serves a useful purpose by keeping politicians in the public eye and thus encouraging voters to believe that they can contribute to a change, if that is what they want.

Yours faithfully,
NEVIL JOHNSON,
Nuffield College, Oxford,
September 24.

authority as respects every school maintained by them; and (c) of every governing body or head teacher of a maintained school as respects that school to exercise their functions (including, in particular, the functions conferred on them by the chapter with respect to religious education, religious worship and the national curriculum) with a view to securing that the curriculum for the school satisfies the requirements of this section.

The curriculum for a maintained school satisfies the requirements of this section if it is a balanced and broadly based curriculum which (a) promotes the spiritual, moral, cultural, mental and physical development of pupils at the school and of society and (b) prepares such pupils for the opportunities, responsibilities and experiences of adult life.

Instead of taking sides over responsibility for the anti-social criminal eruptions in parts of our country, we can share responsibility for carrying out the specific tasks which have been carried forward in legislation since 1944.

In many ways our collective and individual failures show up in the behaviour of young people.

Social conditions, parental confidence and individual responsibility can each contribute to reductions in destructive and self-destructive actions.

Preaching alone, whether by prelate or politician, can achieve little, especially if we can read only selective summaries.

Yours faithfully,
PETER BOTTOMLEY,
House of Commons,
September 20.

Aid to Zimbabwe

From Mr Miles Macnair

Sir, I hope that the delegates to the Commonwealth Conference in Zimbabwe in October have the chance to observe an example of human misery that I witnessed on a recent visit to Harare—otherwise an encouraging experience.

To get to work by 8am thousands of workers have to rise at 4am in order to queue for two hours to catch buses which seldom arrive and still allow two hours to walk to work when they fail to materialise. The same procedure occurs every evening.

The problem is a shortage of buses and/or their spare parts. If the British government wishes to make a practical gesture to the people of Zimbabwe, they could do nothing better than donate a fleet of redundant double-decker buses (with spares). And if, as a reciprocal gesture, the Harare authorities would agree that half of them should be operated by private enterprise, then the forthcoming conference would have achieved true progress.

Yours faithfully,
M. MACNAIR,
The Brook House, Ullenhall,
Henley-in-Arden, Warwickshire,
September 23.

Union deals with Japanese firms

From the General Secretary of the EETPU

Sir, The letter (September 23) from Ken Gill, General Secretary, MSF (Manufacturing, Science, Finance union), is long on prejudice but short on any real understanding of the Japanese approach to trade unionism it seeks to criticise.

The EETPU (Electrical Electronic Telecommunication and Plumbing Union) has signed many successful agreements with Japanese companies who have invested in the UK. Such investment brings with it not only much-needed employment, technology and know-how, but also an attitude to people—to partnership—that can benefit both sides of British industry.

We unreservedly reject the views expressed at the TUC about the Japanese presence in this country. Indeed, the Japanese firms in Britain who have made agreements with my union provide for their employees an involvement and influence within their working lives—in short, a human dignity that is almost totally missing from British industry.

We have been constantly subjected to vitriolic abuse and hostility from unions such as MSF for daring to negotiate these new-style agreements, yet we do so with our members' consent. The workers democratically decide which union will represent them in these Japanese companies. The agreements are not one-sided sell-outs and they are not imposed on an unwilling workforce. The final choice is theirs. Mr Gill expresses concern about an industrial strategy which responds to "the needs of the British people". The EETPU believes that many of the agreements signed with Japanese companies represent a positive alternative to the wave of anti-trade unionism that swept Britain during the 1980s.

Yours sincerely,
ERIC HAMMOND,
General Secretary, Electrical Electronic Telecommunication and Plumbing Union,
Hayes Court, West Common Road,
Bromley, Kent,
September 26.

A-level standards

From Mr F. R. McDonald

Sir, Once again academics are complaining of a drop in standards at A level (report, September 18). It is undoubtedly true that less is demanded of students, at both GCSE and A level, in terms of traditional scholarship and factual recall of a *corpus scientium*, whilst fashion dictates that "skills" are what students need.

However, the answer lies in the hands of the universities. They should continue to accept entrants onto the "fast track", three-year honours degree with three good A levels, indicating a sound knowledge in depth and scholarly ability. To meet the demand for a broader curriculum at 16-plus and a deferment of specialisation, they should accept entrants with broad qualifications, such as the international baccalaureate or some British equivalent, onto a four-year honours course.

This would bring British universities into line with American and European institutions. It would also allow students to defer until they are 18 the decision about whether to go to university or to go on to work. These broader, shallower courses could then include the skills that employers demand and seek not be provided by A levels.

We would then have three distinct strands in the 16-plus education: a decided academic route, a decided vocational route and an undecided route.

Yours faithfully,
F. R. McDONALD
(Head of Science),
Archbishop Tenison's School,
55 Kensington Oval, SE11,
September 23.

Forbidden Britain

From Mr Richard Micklethwait

Sir, On "Forbidden Britain Day" (report, September 30) a gate on this farm was left open. To collect the stock, sort them out and return them to their correct fields will require at least three man hours, plus a dog and a Land Rover.

I shall be most interested to hear from the organisers of the mass trespass why I should carry this overhead as well as providing the free amenity of this beautiful rural area.

Yours faithfully,
RICHARD MICKLETHWAIT,
Penhain, Llanfair Disgoed,
Nr Chepstow, Gwent.

Political puzzle

From Professor J. M. Thoday

Sir, The political spectrum is circular (letter, September 24). Extreme right and extreme left are in the same place.

Yours clearly,
J. M. THODAY,
7 Clarkson Road, Cambridge.

From Mr T. H. Hughes-Davies

Sir, As Columbus knew, every country is both east and west of every other; and a communist may meet a fascist by turning right or left. Yours sincerely,
T. H. HUGHES-DAVIES,
Slades Cottage, Breamore,
Fordingbridge, Hampshire.

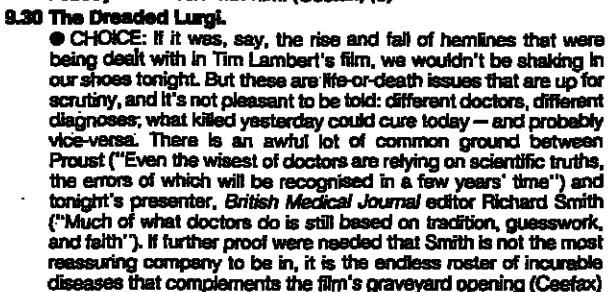
6.00 Cee-fax
6.30 Breakfast News. Begins with *Business Breakfast* until 6.55 when Nicholas Witchell and Jill Dando present news and topical reports with regular business, sport, weather, regional news and travel bulletins.
9.05 Perfect Strangers. American comedy series.
9.30 Labour Party Conference. Donald MacCormick, Vivian White and Ian Smith present live coverage of the second day's debates at Brighton. These include education and Labour's strategy on employees' rights.
10.00 News. regional news and weather **10.05 Playdays.** For the very young **10.25 Bump.** Adventures of a clumsy young elephant (r)
10.35 Labour Party Conference. Further live coverage from Brighton. Includes news and weather at 11.00 and 12.00. **12.55 Regional news and weather**
1.00 One O'Clock News and weather
1.30 Neighbours. (Cee-fax) (s) **1.50 Four Squares.** General knowledge quiz game. The questionmaster is John Sachs (s)
2.15 Film: The Grey Fox (1982) starring Richard Farnsworth. An award-winning drama about Bill Miner, a Canadian outlaw who spent half his life in prison. When he is released from San Quentin in 1901 Miner discovers that the stagecoaches have been replaced by trains but undeterred he is soon planning his first 20th century robbery. Directed by Philip Borsoe
3.40 Highlander. An Aboriginal legend about the ancestral hero of the Ngarrindjeri people
3.50 Puddingtime. Animated adventures (r) **3.55 Badger and Badger.** The first of a new comedy series about the puppets and staff of Lately Avenue school **4.10 Headbutt** with Cate and Co. Cartoon adventures of an alley cat (r) **4.35 What's That Noise?** Tony Gregory explores the world of dance with ballerina Ginny Finny and choreographers Jacob Marley and Claire Eastman (s)
5.00 Newsround 5.10 Grange Hill. Episode seven of the 20-part children's school drama (r)
5.35 Neighbours (r). (Cee-fax) (s)
6.00 Six O'Clock News with Anna Ford and Chris Lowe. Weather **6.30 Regional news magazines.** Northern Ireland: Neighbours **6.50 Every Second Counts.** Fast-moving general knowledge quiz (s)
7.30 EastEnders. (Cee-fax) (s)
8.00 The Fall and Rise of Reginald Perrin. David Nobbs's classic comedy based on his original Perrin novel about a middle-aged executive of a dried fruit company who becomes jaundiced about his way of life. Tonight he makes a disastrous speech to the British Fruit Association, leading to a crisis point in his life. Starring Leonard Rossiter as Reggie and Pauline Yates as his long-suffering wife Elizabeth (r). (Cee-fax)
8.30 Two Point Four. Andrew Marshall's comedy series starring Belinda Lang as Bill, a mother and housewife trying to make sense of her life amid domestic chaos. With Gary Olsen as husband Ben. (Cee-fax) (s)
9.00 Nine O'Clock News with Michael Buerk. (Cee-fax) Regional news and weather



Deflating a yellow peril: Brian Hibbard as Chunky (9.30pm)

9.30 Making Out. Debbie Horsfield's sly comedy drama about the women workers of a northern electronics factory. Tonight Quenee and Rosie are preparing for motherhood and find themselves under unwelcome scrutiny. Meanwhile, Quenee's husband Chunky is faced with a problem after helping a friend with some inflatable bananas. Starring Margi Clarke, Melanie Kilburn and Brian Hibbard. (Cee-fax) (s). Wales: Week in Week Out 10.00
10.20 Film 91 with Barry Norman. Includes reviews of Alan Parker's Dublin-based drama *The Commitments* and *Let Him Have It* the story of the controversial case of Derek Bentley, hanged for murdering a policeman in 1952. Billy Crystal talks about his new comedy *City Slickers* about three friends experiencing a mid-life crisis who decide to go on a cattle-driving holiday (s)
10.50 Film: Trenchcoat. In *Pandora* (1989) starring Dirk Benedict (Falconer in the A-Team), Catherine O'Hara and Bruce Dern. A comedy thriller about a small-time private eye who decamps to Hawaii to evade the unwelcome attentions of gangsters and finds himself enmeshed in murder. Directed by Martha Coddige
12.00am Weather. Wales to 12.59. Film 91

8.45 Open University: The Sordid Subject of Bowl Bourgeois 7.10 Instruments in Flight. Ends at 7.35
9.00 News
9.15 The Travel Show UK Mini-Guides. What to see and places to visit in the Rose-on-Wye area of the Wye Valley (r)
9.20 English Journey. In the seventh of eight programmes exploring England in the footsteps of J.B. Priestley, Beryl Bainbridge visits Teesside, York and Hull (r)
9.00 Daytime on Two. Educational programmes
2.00 News and weather followed by Live and More (r)
2.15 Labour Party Conference. Live coverage from Brighton. This afternoon's proceedings include Neil Kinnock's speech to the delegates. With news and weather at 3.00 and 3.50
5.30 Gardeners' World. This last in the series features a guide to what to do in the garden in autumn; a preview of the latest products for spring; and the creation of a garden for the families of Children in Need (r)
6.00 Film: Loving You (1957) starring Elvis Presley, Elizabeth Scott and Wendell Corey. Presley's second movie finds him in the role of a central news anchor who becomes a singing sensation after being discovered by a country and western singer. Directed by Hal Kanter
7.35 Animation Now: I Told 'Em Exactly How to Do It. The story of how life became unbearable for a group of production line workers
7.50 Last Waltz for Cinderella?
CHOICE: More a funeral march than a waltz, actually. A recent government white paper, *Education and Training for the 21st Century*, proposes that after 1995, the Cinderella of the title – the adult education courses covering everything from the art of icing cakes and making soft toys to learning how to write leaflets – prevails like this – should be entirely self-supporting, and that government funding will no longer be available for them. A fine head of steam is building up in the campaign to save these non-vocational courses, and Emma Smith's BBC Education Special will clearly encourage those students, tutors and politicians who are in the front-line of the battle to shovel another couple of tons of fuel into the boiler
8.30 Wildlife Showcase: Mr Twago's Whales. This last in the series of eight nature films was made by Japan's leading wildlife cameraman Mitsuru Twago over a period of eight months during which he followed humpback whales across the Pacific. Among the remarkable footage are scenes of the mammals catching shoals of fish by producing huge 'jets' of air bubbles. (Cee-fax)
8.00 Bottom. Unsuitable comedy series starring Adrian Edmondson and Rick Mayall. Tonight Ritchie decides it is time to discover why nobody wants sex with him. (Cee-fax) (s)
9.30 The Choice. If it were, say, the rise and fall of hemlines that were being dealt with in Tim Lambert's film, we wouldn't be shaking in our shoes tonight. But these are life-or-death issues that are up for scrutiny, and it's not pleasant to be told: different doctors, different diagnoses; what killed yesterday could cure today – and probably vice-versa. There is an awful lot of common ground between Proust ('Even the wisest of doctors are relying on scientific truths, the errors of which will be recognised in a few years' time') and tonight's presenter, *British Medical Journal* editor Richard Smith ('Much of what doctors do is still based on tradition, guesswork, and faith'). If further proof were needed that Smith is not the most reassuring company to be in, it is the endless roster of incurable diseases that complements the film's graveyard opening (Cee-fax)



An endless roster of incurable diseases: Richard Smith (9.30pm)

10.10 The Staggering Stories of Ferdinand De Barco. Of Love and Pandemonium. A surreal comedy tale related by Peter Bond, Jim Fennell, Caroline Lacey, Eric Robell and Kate Robbins (r) (s)
10.30 Newsnight presented by Peter Snow
11.15 The Late Show. Kirsty Wark interviews Mark Fisher who would be minister if Labour won the next general election (s)
11.55 Weather

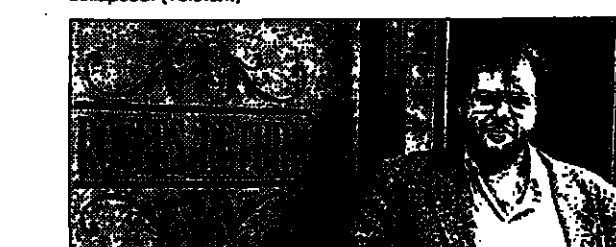
6.00 TV-am
9.25 Runway. General knowledge quiz game (s) **9.55 Thames News and weather**
10.00 The Time...the Place... Mike Scott chairs a topical discussion
10.40 This Morning. Family magazine series
12.10 Rod, Jane and Freddy. Educational entertainment for children (r)
12.30 News with John Suchet 1.10 Thames News and weather
1.20 Home and Away. Australian family drama series. (Oracle) **1.50 A Country Practice.** Medical drama (s)
2.20 Take the High Road. Soap set in the Highlands **2.50 Give Us a Cue.** Celebrity charades chaired by Michael Parkinson (s)
3.15 ITN News headlines 3.20 Thames News headlines 3.25 Families. Soap linking the north of England with Australia (s)
3.55 Hot Dog. Puppet series 4.05 Rupert. Animated adventures of the hero of Nutwood and his chums (s) **4.30 Children's Ward.** Award-winning children's drama set in a general hospital (r). (Oracle) **5.00 Cartoon featuring Pogo Pig**
5.10 Blockbusters. General knowledge quiz game for teenagers
5.40 News with Carol Barnes. (Cee-fax). Weather
5.55 Thames Help. Jackie Spackwood with the second of her week's series on issues affecting London's gay and lesbian community
6.00 Home and Away (r). (Oracle)
6.30 Thames News. (Oracle) Weather
7.30 Emmerdale. Soap set in the Yorkshire Dales. (Oracle)
7.30 Thames Reports: The Triad Terror. Reporter Roger Beam investigates how the Triads exert their influence over London's Chinatown
8.00 The Bill: Friday... and Counting. Murder comes to the Sun Hill manor with no clues to the identity of the victim or of who made the vicious attack. (Oracle)
8.30 French Fields. John Chapman's and Ian Davidson's gentle comedy starring Julia McKenzie and Anton Rodgers as expatriate Britons resident in France. In this episode they have an uphill task trying to teach the French to play cricket. (Oracle) (s)



Taken for a ride: Elphick, right, with Henderson (9.00pm)

9.00 Boon: Two Men in a Vault. Comedy drama series starring Michael Elphick as a hapless private investigator and David Daker as his partner in Crawford Boon Security. This week they find themselves locked in a bank vault after hiring an ex-convict (Don Henderson) as a security guard. (Oracle)
10.00 News at Ten with Alastair Stewart and Julia Somerville. (Oracle) Weather **10.30 Thames News and weather**
10.40 First Tuesday: The Good, the Bad and the Earthquake.
CHOICE: One question Anne Webber's grim documentary about a gigantic financial scandal in southern Italy does not concern itself with its probably academic audience: whether the *Impostor* Mafia – the *Corriere* – that is up to its ugly neck in the affair, is as bad as its better-known brother, the *Sicilian Mafia*. One thing is for sure: the *Corriere* doesn't tolerate people asking awkward questions, and there are bodies in the local cemeteries to prove it. It seems little less than astounding, then, that Webber and her producers managed to get back to Britain in one place after uncovering the truth of what happened after 250,000 were made homeless by an earthquake in the area in 1980, and over 225 billion of government money was made available to re-build their lives. Eleven years later, two thirds of the victims are still living like animals while much of the reconstruction cash has vanished into the pockets of town mayors, politicians, builders and, naturally, the *Corriere* (Oracle)
11.40 Prisoner: Call Block H. Australian drama series
12.30am Video View. The latest releases reviewed by Mariella Frostup
1.00 The Equalizer. Edward Woodward stars as McCall, a former secret agent-turned avenging angel. Tonight he comes to the aid of two men whose lives are threatened after trying to unionise their company (r)
2.00 Donahue. Phil Donahue meets ten women who thought they were married to the same man
2.50 Night Bites. Robert Gill prepares bacon and prunes
3.00 60 Minutes. Award-winning American news magazine
4.00 Entertainment Now. A quick look at the latest in Britain
5.00 Three's Company. American comedy series
5.30 ITN Morning News with Phil Roman. Ends at 6.00

6.00 The Channel 4 Daily 9.25 Schools
12.00 Profiles of Nature: Solitaires. Canadian wildlife film-maker Don Gibson explains the varied techniques employed in bringing the wonders of the animal kingdom to the small screen
12.30 Business Daily
1.00 Sesame Street. Pre-school learning series. The guest is Carol Channing (r)
2.00 Conference Report – the Leader's Speech. Jon Snow introduces live coverage of Neil Kinnock's speech to the Labour party conference
3.30 Magoos Slept Here. Cartoon starring the hilarious Magoos character in this short having some trouble when he decides to sell off some of his furniture
3.40 Bricks Without Straw. A documentary comparing the plight of the homeless in London, Lusaka and Manila
4.30 Fifteen to One. Fast-moving general knowledge quiz. The questionmaster is William G. Stewart (s)
5.00 Owl TV. Children's wildlife and environmental series, presented by Michaela Strachan. Today's programme comes from the Jersey Wildlife Trust and features a baby orangutan and the world's rarest tortoise. Plus Kirsty Butcher's visit to a hospital in Skagness that treats orphaned and injured seals
5.30 Close to Class. In this last of the series on class in Britain Ray Gosling asks if Mr Major's intention of making Britain a classless society by the year 2000 is a viable proposition (r) (Teletext)
6.00 My Two Dads. Disappointing American comedy series about two bachelors who inherit a daughter (r)
6.30 Happy Days. Comedy series set in 1950s Milwaukee, inspired by the successful film *American Graffiti*. Starring Henry Winkler and Ron Howard
7.00 Channel 4 News with Nicholas Owen and Zainab Badawi in London and Jon Snow at the Labour party conference in Brighton
8.00 Stories from an African Hospital. Another visit to one of Africa's largest teaching hospitals, the Komfo Anokye in Ghana, this week following the progress of Benicia Krok, pregnant after two stillbirths and suffering complications once again
8.30 Lawyers. The third of a six-part fly-on-the-wall look at the working lives of a group of lawyers. This week barrister Brian Walsh opens for the prosecution in a murder case; Philip Rowland counsels two men dismissed for drinking at work; and solicitor Chris Hindle takes on a bank on behalf of a retired couple whose business has collapsed. (Teletext)



Standing on the other side of the Street: Mark Lawson (9.00pm)

9.00 Without Walls: J'Accuse – Coronation Street.
CHOICE: Nationally, more teeth will be set on edge by what journalist and critic Mark Lawson has to say about Weatherfield and its denizens tonight than by the tool that scratches through the great names (Dickens, Wagner, The Beatles, etc) engraved on the stone under this programme's opening titles. For starters: Lawson, magically translated to the bar in the Rovers Return, asks Betty Turpin if the beer is as fake as everything else in the Street. And that is the kindest thing he has to say about it. The unkindest? We are spilt for choice. Typical, however, is his *Benjamin*: 'Come trendy bombs and fall on Weatherfield; it isn't fit for people now.' Lawson, whose memory is faulty if he really believes that the early episodes of *Coronation Street* can compare with the TV writing of Mercer, Potter or Alan Owen, suggests a five-year statute of limitation on the series. Fans of the Street, of course, suggest an identical moratorium on the unfavourably provocative Mark Lawson
9.30 Without Walls: Sindy Hits Thirty. Comedienne Sandi Toksvig celebrates 30 years of the Sindy doll
10.00 Film: Taken Away (1993) starring Valerie Bertinelli and Kevin Dunn. A made-for-television drama about a single mother's fight to regain custody of her eight-year-old daughter after she was taken from her as a result of a bureaucratic blunder. Directed by John Patterson
11.50 The Dick Powell Theatre: The Legend (b/w). Sammy Davis Jr stars as a partially-sighted former champion boxer who helps a newspaperman uncover a New York crime syndicate
12.00am Super. Japanese wrestling series
1.20 Lol Coxhill's Fragrance. A documentary portrait of saxophonist Lol Coxhill. Ends at 2.20

TV VARIATIONS

ANGLIA

As London except: 6.25pm-7.00 Anglia News 7.30-8.00 The Westlands

BORDER

As London except: 2.20pm-2.50 Sons and Daughters 5.10-5.40 Home and Away 6.00 Coast to Coast 6.30-7.00 Blockbusters 7.30-8.00 News 8.30-9.00 The Westlands

CENTRAL

As London except: 6.25pm-7.00 Central News 7.30-8.00 Jimmy's 11.40 Flight Night 12.40 Film: Death Car on the Freeway 1.40 Flight Night 2.40 Film: Death Car on the Freeway 3.40 Film: Death Car on the Freeway 4.40 Film: Death Car on the Freeway 5.40 Film: Death Car on the Freeway 6.40 Film: Death Car on the Freeway 7.40 Film: Death Car on the Freeway 8.40 Film: Death Car on the Freeway 9.40 Film: Death Car on the Freeway 10.40 Film: Death Car on the Freeway 11.40 Film: Death Car on the Freeway 12.40 Film: Death Car on the Freeway 1.40 Film: Death Car on the Freeway 2.40 Film: Death Car on the Freeway 3.40 Film: Death Car on the Freeway 4.40 Film: Death Car on the Freeway 5.40 Film: Death Car on the Freeway 6.40 Film: Death Car on the Freeway 7.40 Film: Death Car on the Freeway 8.40 Film: Death Car on the Freeway 9.40 Film: Death Car on the Freeway 10.40 Film: Death Car on the Freeway 11.40 Film: Death Car on the Freeway 12.40 Film: Death Car on the Freeway 1.40 Film: Death Car on the 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● LAW REPORT 32
● SPORT 34-38

Lonrho woos BW's smaller investors

LONRHO, the international trading combine, will today meet a representative of Brent Walker Group's small shareholders as part of its attempt to reach agreement with the embattled leisure group's board on a tentative takeover approach.

Neither Brent Walker's new management nor the banks to which the company owes £1.5 billion have supported Lonrho's move, which involves converting most debt into Lonrho convertible preference shares.

But Lonrho is now courting the smaller shareholders of the action committee led by Count Alexei Orlov, whose members hold 9 per cent of the ordinary share capital.

Steetley drops

Steetley, the building products and aggregates group, has announced a 73 per cent fall in interim pre-tax profits to £13.5 million for the six months to end-June. The interim dividend is unchanged at 5p.

Airtours high

Shares in Airtours, the holiday tour operator, reached a new high at 778p after the company said pre-tax profits for the year to end-September "are likely to be well ahead of current market expectations".

Powell boost

Powell Duffryn will receive £30 million cash after ending its joint venture with Hanson in South Wales, and says it has ended joint venture talks with Pakhoed of Holland on chemical storage terminals in America.

THE POUND

US dollar 1.7505 (+0.0150)
German mark 2.9120 (-0.0035)
Exchange index 91.1 (+0.1)
Bank of England official base rate (4pm)

STOCK MARKETS

FT 30 share 2021.6 (+2.7)
FT-SE 100 2621.7 (+22.7)
New York Dow Jones 3002.68 (-3.36)
Tokyo Nikkei Ave 23916.44 (-53.03)

MAJOR CHANGES

RISES:
M J Gleeson 852 1/2p (+8p)
Apex 308 1/2p (+8p)
Kingfisher 554p (+13p)
Remstar 323 1/2p (+4p)
Courtauld 477 1/2p (+18p)
Comet TV 887 1/2p (+20p)
Johnson Matthey 335 1/2p (+8p)
Boosey & Hawkes 790p (+20p)
Carlton Comm 543 1/2p (+20p)
Comet TV 887 1/2p (+20p)
Davis & Newman 155p (+10p)
Powell Duffryn 315 1/2p (+13p)
Tophook 583 1/2p (+17p)
Cik Group 182 1/2p (+15p)
FALLS:
PFC 85p (-19p)
Steetley 225p (-13p)
Admiral 168p (-14p)
Microgen 62 1/2p (-9p)
Prop Security 118p (-25p)
Closing Prices...Page 25

INTEREST RATES

London: Bank Base: 10 1/2%
3-month Interbank 10 1/2%
3-month prime bill 9 3/4%
US: Prime Rate 6%
Federal Funds 5 1/4%
3-month Treasury Bills 5 1/2%
30-year bonds 10 3/4%
Closing Prices...Page 25

CURRENCIES

London: New York
£/\$ 1.7535
£/DM 1.6618
£/Sfr 1.4485
£/FF 1.6610
£/Yen 152.80
ECU 10.702859
SDR 60.784975
ECU 1.422760
SDR 1.273925
London forex market close

GOLD

London: 355.50 pm 354.50
close 354.20-354.70 (2202.40-302.80)
New York: 354.35-354.85

NORTH SEA OIL

Brent (Oct) £21.40 bbl (£21.55)
Denotes midday trading price

RETAIL PRICES

RPI: 134.1 August (1987=100)
Denotes midday trading price

Tokyo minister pledges punitive measures against Nomura



Hashimoto: evidence

FROM JOANNA PITMAN IN TOKYO

RYUTARO Hashimoto, Japan's finance minister, told a parliamentary investigative panel that Nomura Securities had violated article 54 of the securities and exchange law. The infringement, he said, took place in 1989 when Nomura launched a campaign of selling and recommending to clients the shares of Tokyu Corporation, the railway company. One of the securities firm's important customers, Susumu Ishii, the boss of an underworld Tokyo gang, had a significant holding in Tokyu.

Mr Hashimoto told the upper house special committee on securities and financial matters that Nomura had been over-enthusiastic in tipping and selling Tokyu's shares to investors at its head office and branches all over Japan.

Article 54 bans excessive recommendation and sales of specific stocks.

Nomura has come under fire for ramping the Tokyu share price between October 19 and October 31, 1989, just after Mr Ishii invested in the stock. But the finance minister fudged this issue. He said there was insufficient evidence on whether Nomura had also contravened article 125 of the securities and exchange law, which prohibits share price manipulation. His ministry had given up the attempt to pursue a criminal investigation in the face of the difficulties.

He said he did, however, plan punitive measures against Nomura for its misconduct. They could include suspension of business, possibly for three months. Nomura and the three other big securities houses, Daiwa,

Nikko and Yamaichi, were barred from soliciting for business for three days earlier this year for compensating favoured clients with almost ¥217 billion (£936 million) for investment losses in the 30 months to March 1990.

The managing director of a foreign securities firm was scornful of the minister's statement. "Everyone knows that stock price ramping goes on every day in Tokyo," he said. "Nomura does it, all of them do it. Today's statement from Mr Hashimoto simply confirms that the ministry had condoned the practice all along, and now has to cover it up despite official investigations. This is a clear failure of the regulators."

The Japanese authorities have been embarrassed by a series of financial scandals,

involving some \$6 billion, since June this year. The typical Japanese response is to arrange for a suitably senior and comely executive to resign. The latest target for public disgrace is Taizo Hashida, the president of Fuji Bank, who, according to local press reports, is expected to announce his resignation over a ¥257 billion loan fraud scandal. Four former officials of the bank were arrested last month. They were suspected of forging deposit documents and of swindling a total of ¥17 billion from a non-bank institution and a foreign bank between 1987 and 1989.

If he does step down, Mr Hashida will be the sixth leading financial executive to resign in the past year, taking with him responsibility for a scandal. A Fuji Bank spokeswoman denied yesterday that he was about to do so.

'Serious' loan covenants problems

Asda looks for £357m in rescue package

By GILLIAN BOWDITCH

ASDA Group launched its long-awaited refinancing package yesterday, including a £357 million rights issue. Without the rescue package, Asda is in danger of breaching covenants on some of its £931 million of loans, described in the rights issue document as "a very serious problem".

The nine-for-ten rights issue, at 35p, was lower than the market expected and knocked 9 1/2p off the price of the shares, which closed at 45 1/2p. The issue is conditional on amendments to the banking covenants and has been underwritten by SG Warburg, broker to the issue along with Cazenove.

Patrick Gillam, the chairman who has been in the job 12 days, said that he had been forced to go to the market for

new equity earlier than he expected, and before the appointment of a chief executive, because the deterioration in results for the current year meant the covenants were in danger of being breached soon.

The relevant covenants are those in the £500 million multi-option facility and the £260 million transferable term loan facility, £128 million of which is due for repayment this month. Asda is negotiating amendments to these covenants with its syndicate of 27 banks. The group needs bankers speaking for 50 per cent of the value of these loans to agree the amendments. National Westminster Bank, representing 24 per cent, is supporting the changes to the covenants.

Asda has negotiated with National Westminster Bank and Swiss Bank Corporation

new bank facilities for £200 million, which is conditional on the rights issue becoming effective. The facilities, in conjunction with the rights issue, would allow Asda to repay its short-term borrowings on time. About £600 million of debt is due to be repaid within 12 months and £290 million of this is due by the end of next month.

Mr Gillam said he was surprised at the extent of the short-term debt when he arrived at Asda. He put the problem down to the acquisition of 60 Gateway supermarkets, for £704 million in October 1989, financed entirely by borrowings.

He said: "The group was advised to raise equity at that time but decided to finance the deal by selling assets. Unfortunately, the market for such sales proved to be very difficult." A large sale-and-leaseback deal failed to go ahead.

Mr Gillam said the board had looked long and hard at the value of the group's assets but had decided there was no need for a write-down. Assets, which are mostly stores, are valued at £1.2 billion net, giving a net asset value per share of about 69p.

The rights issue and the refinancing will reduce debt to £574 million and will take gearing down from 72.1 to 36.6 per cent. Asda's board said it intended to pay a 1.25p interim dividend and plans a 0.85p final dividend, making 2.1p for the year to May 2.

Mr Gillam says his priority is to find a chief executive, and there are three candidates in the final stages of interview.

Comment, page 23



Gillam: forced to act

Roux 'astonished' at Seelig recruit

By OUR CITY STAFF

THE former Guinness finance chief, Olivier Roux, told an Old Bailey jury yesterday he was "astonished" when told that Henry Ansbacher, the merchant bank, agreed to support the brewer's £2.7 billion bid for Distillers. For only a year earlier the bank had crossed swords with Guinness in another takeover battle.

Mr Roux, the prosecution's main witness in the second Guinness trial, said Roger Seelig, then master takeover tactician at Morgan Grenfell, the merchant bank, told him he had recruited Ansbacher, L.F. Rothschild, the American investment bank, and a mystery client to a secret Guinness share-support operation.

Mr Roux said that Mr Seelig gave as his reason for Ansbacher's involvement a long-term association with Lord Spens. Lord Spens, former managing director of corporate finance at Ansbacher, is also on trial.

It is alleged that the illicit operation was mounted to give Guinness victory over its bitter rival, Argyle, in 1986. Supporters were allegedly

promised illegal indemnities to cover losses.

"Mr Seelig made it clear to me the terms that would take place so these supporters would not lose out," said Mr Roux.

"If they made losses they had to be met by Guinness," Mr Seelig, aged 46, denies attempting to induce acquisition and disposal of securities under the Prevention of Fraud (Investments) Act, and two charges of false accounting.

Lord Spens, aged 49, denies one offence of false accounting. Jointly they have both pleaded not guilty to conspiring with others to contravene the Prevention of Fraud (Investments) Act.

Mr Roux said he agreed with Mr Seelig that false invoices would be paid to cover losses on Guinness shares suffered by its supporters.

Mr Roux said he was given approval to make payments totalling £2.9 million by the former Guinness chief executive, Ernest Saunders. The trial continues today.



Interim role: Brian Garraway, who becomes chairman until his retirement next year

Butt quits Eagle Star

By NEIL BENNETT
BANKING CORRESPONDENT

MICHAEL Butt has resigned as chairman of Eagle Star, the insurance subsidiary of BAT Industries, with an estimated £400,000 payoff after the company's disastrous losses and last week's decision to cut its workforce by 1,000.

Mr Butt's departure leaves a vacuum at the top of BAT, since he was expected to become group chairman when Sir Patrick Sheehy retires in 1993. A spokesman did not give any reason for Mr Butt's move, which follows the company's record £189 million loss for the first half of the year. Sources close to the company said Mr Butt was "reminded of his responsibilities". Mr Butt was entitled to three years' pay if his contract was terminated, and had to give one year's notice if he resigned. He and the company have agreed on a compromise of 18 months pay.

Mr Butt's place will be filled by Brian Garraway, BAT's deputy chairman and chairman of Allied Dunbar, BAT's other British insurance business. However, Mr Garraway retires in October next year.

Mr Butt joined Eagle Star in 1987 from Sedgwick, the insurance broker at which he had been deputy chairman. In the late Eighties, Eagle Star was one of BAT's most successful subsidiaries: pre-tax profits rose from £210 million in 1987 to £294 million in 1989.

The picture changed when

the company had to make provisions against its commercial mortgage guarantees. This year's losses were mainly caused by a £121 million provision on domestic mortgage guarantees. Eagle Star is facing a flood of claims from banks and building societies due to house repossession.

Mr Butt had started to negotiate new insurance con-

tracts with the mortgage lenders. Last week, Eagle Star said it would reduce its staff numbers by 15 per cent in the next three years through cuts in the insurance business.

The successor to Sir Patrick is likely to come from a small group of senior BAT executives in their forties, including Martin Broughton, George Greener and Barry Bramley.

Blue Arrow pair cleared

By OUR CITY STAFF

TWO defendants in the Blue Arrow fraud trial were acquitted after more than 100 days of legal argument. They are Stephen Clark, County NatWest's group finance director, and Alan Keat, a partner in Travers Smith Braithwaite, a City solicitor.

Mr Justice McKinnon said he was satisfied there was insufficient evidence that either Mr Clark or Mr Keat joined an alleged conspiracy or that they had in any way furthered its objects.

The jury had not sat since the end of July, when they were then given a vacation at the conclusion of the prosecution's case against seven individuals and three City of London companies. At that stage, the Old Bailey hearing had been sitting for 103 days and had heard from 80 prosecution witnesses.

The other individual defendants are Jonathan Cohen, former deputy chief executive of NatWest Investment Bank and chief executive of County NatWest; David Reed, former executive director of corporate finance at County NatWest; Nicholas Wells, former County NatWest executive director and a member of the corporate advisory department; Martin Gibbs, former director of UBS Phillips and Drew and Christopher Stainforth, former director of UBS Phillips and Drew corporate finance.

All pleaded not guilty to charges alleging that they had rigged the stock market over the £337 million Blue Arrow rights issue in 1987.

FULLY MANAGED CURRENCY MORTGAGES: EXPLORE THE POSSIBILITIES.

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Pay in kind is kinder than cash

By ROSS TIEMAN
INDUSTRIAL CORRESPONDENT

FORGET the company car: share options have become the pick of the perks.

Workplace nurseries, season ticket loans and company suits should also be on the shopping list of executives and union negotiators seeking to wring the most out of employers trying to keep down pay rises.

The attraction, in each case, is that the employee can get more benefit for every pound spent by his employer than if he had cash in his pay packet. Despite attacks by successive chancellors on perks, and the company car in particular, the tax regime continues to make it more cost-effective for companies to pay in kind than in cash.

A table of the tax efficiency

of 21 common perks is contained in the *Director's Guide to Employee Benefits*, compiled by the Institute of Directors and Hogg Robinson Financial Services. It shows that share option schemes are potentially the most tax-effective way of rewarding work-

Perks	Tax efficiency
Share Options	Potentially high
Free workplace nurseries	2.16
Season ticket loans	1.8
Profit sharing	1.8
Employer-owned accom	1.7
Business suits	1.67
Company car	1.2
Low interest mortgage	1.1
Private medical insurance	1.1
Cash	1.0

Source: Institute of Directors

ers, closely followed by the humble works canteen.

A pound's worth of egg and chips costs the company less than 50p. Shareword union negotiators may care to remind companies of the old adage that an army marches on its stomach, and suggest that a switch to salmon and salad would make a modest pay rise more palatable.

Free workplace nurseries are next. The last Budget allows the company to provide benefits worth £1.80 for every pound spent. Business suits also achieve a high ranking, although matters of taste may complicate negotiations. Provision of personal finance planning services is also modestly cost-effective.

Toughening tax treatment

has diminished the appeal of a company car, especially where it is more a status symbol than a high mileage business tool. However, the relief from worry over repairs and breakdowns still makes it attractive. The psychological impact of benefits should not be underestimated. As Fiona Colquhoun, personnel director of Cable & Wireless, notes in the *IoD/Hogg Robinson guide*: "The receipt of a tangible commodity seems to be more satisfactory than merely adding cash to pensionable pay."

Of course, benefits cannot pay a mortgage, and administration costs may erode the advantage to a company of substituting perks for pay. But the taxman is a handy ally. Employers and employees, take note.

Lloyds Bank hit by strike

By NEIL BENNETT
BANKING CORRESPONDENT

BRANCHES of Lloyds Bank around the country remained closed yesterday as it suffered the first full strike of any high street bank for eight years. Lloyds is planning to implement its new staff grading structure, the key to the dispute, today despite the strike.

The Banking, Insurance and Finance Union (Bifu) - which ordered the one-day strike - and Lloyds gave different verdicts on the strike's success. The Bifu executive said that a tenth of Lloyds' branches had been closed, while half suffered severe disruption.

Lloyds said only 2,933 out of its 40,000 staff had taken part and that only 29 of its 1,400 branches had been shut. Bifu is taking the action in protest against Lloyds' new staff grading system. This, it claims, will reduce some salaries by up to £2,500 over the next three years. In addition, Bifu claims the regrading will make Lloyds staff the lowest paid of any high street bank.

This follows 7,500 job cuts at the bank in the last 18 months. Further stoppages are planned.

Laura Ashley cuts 100 jobs in restructure

By GILLIAN BOWDITCH

LAURA Ashley is to shed 100 management and support jobs in a company restructuring that will cost about £5 million. Jim Maxmin, the group's American chief executive, aims to save £2 million a year in personnel costs.

The most senior job level to go is senior vice-president in America and 80 jobs will be shed in head offices around the world. Mr Maxmin said the shake-up would simplify the operating structure. No shop or factory staff will be affected.

The cuts will remove two layers of field management in the UK and one in the US. The America head office at Mahwah, New Jersey, is being relocated to a smaller site in the same area.

Mr Maxmin said: "Laura Ashley has suffered from a fragmented management structure that has prevented a clear global brand strategy from being developed and implemented."

A global operations executive, comprising managers from all areas of the group, is to be established and will meet once a month in different locations around the world. It will be responsible for Laura Ashley's overall management.

Alphons Schouten, who heads retail operations in Europe, will also be responsible for Australia. Terry Smith remains in charge of US retail operations. A new UK retail chief is being recruited. Separate global mail order and franchising divisions will be set up in due course.

The group marketing division is being disbanded and a global collection development team set up. This will be responsible for cutting lead times, ensuring that the brand is well positioned internationally.

Mr Maxmin said that while constant change was inevitable, he did not envisage another such upheaval or further redundancies on this scale. The shares rose 1p to 86p.



On the board: Sue Ball moves up to finance director

Finance chief at Mosaic

MOSAIC Investments, the fast-growing industrial products to licensing group, has appointed Sue Ball as finance director. Miss Ball, aged 29, previously held the position of financial controller and company secretary at Mosaic, and will continue in the latter role. Her appointment as finance director fills the gap left in the

boardroom when Leon Angrave, Mosaic's last finance director, was appointed group managing director in April, following the surprise departure from Mosaic of David Williams, the deputy chairman who had significantly influenced the group's development. Mosaic shares added 5p to 255p.

Royal Bank issues photocards

By LINDSAY COOK
MONEY EDITOR

THE Royal Bank of Scotland is introducing photographs on plastic cards to cut fraud, in an experiment beginning this week. Customers in London, Edinburgh, Glasgow and Manchester will be asked to supply photographs and signatures for new-style cheque guarantee, cash dispenser and debit cards.

The move comes three months after Kenneth Baker, the home secretary, asked the banks to introduce payment cards laser-engraved with photographs. In two weeks the Association of Payment Clearing Services (Apacs), the inter-bank organisation, will be meeting Mr Baker and is expected to point out that photographs alone are unlikely to solve plastic fraud.

Last year banks and building societies lost £122 million through such fraud. Apacs says that to introduce photographs for the 30 million plastic cards in circulation would cost £100 million.

BUSINESS ROUNDUP

Disney warns of 20% profit fall this year

WALT Disney issued a warning yesterday that it expects profits to drop 20 per cent this year, the first decline since Michael Eisner and Frank Wells took charge eight years ago. As President Bush helped to celebrate Disney World's twentieth anniversary in Florida, with 135 Wall Street analysts and 7,000 journalists from 35 countries, Disney's shares fell \$1.75 to \$112.25.

Theme parks were the main reason for the decline. Their contribution plunged 30 per cent to \$170 million in the year ended yesterday. Film profits were flat at about \$100 million and consumer products advanced less than 10 per cent, to \$54 million. Disney had promised earlier this year that it would deliver a 20 per cent annual compound growth in profits for the next five years.

Oil slump cuts Ramco

LOWER activity in the North Sea cut first-half pre-tax profits at Ramco Oil Services, the Aberdeen-based offshore pipe-cleaning specialist, to £225,000 (£645,000) in the six months to end-June, as turnover fell to £1.89 million (£2.52 million). Earnings per share slid to 0.94p (1.89p). Again there is no interim dividend.

Hong Kong stock placed

MORGAN Grenfell has placed 15 million shares in Vtech Holdings, a Hong Kong-based consumer electronics group, at US\$1.10 per share. Warrants will be issued to shareholders on the register of members of the company when the placing becomes unconditional. The directors say it is too early to make a profit forecast.

Berisford wins time

BERISFORD International, the property and commodity trading group, has agreed with its bankers on continuing its banking facilities to end-March 1992. The facilities will be provided on terms similar to existing arrangements but with a much smaller number of banks, led by National Westminster Bank, and for smaller amounts of money. Berisford's associate, Rayner Coffee International, has also agreed terms extending its facilities to end-June 1992.

First results lift Headline

HEADLINE Book Publishing has produced its first figures since its shares were issued in April. Shares rose 6p to 135p, compared with a 100p launch price, on the news of a 28 per cent rise in pre-tax profits to £378,000 for the six months to end-June. Earnings remain at 3.2p and there is an interim dividend of 0.5p.

ERA losses trimmed

ERA Group, the specialist retailer, showed a slight drop in pre-tax losses to £951,000 (£965,000) in the six months to end-June. The loss per share increased to 1.28p (1.26p). Once again, there is no interim dividend, as the deficit prevents the group paying an ordinary or preference dividend. The shares eased 1p to 34p.

Staffing group dives

THE effects of the recession on both sides of the Atlantic cut first-half profits at Computer People Group, Britain's largest provider of full-time and part-time computer staff. Pre-tax profits dived 69 per cent to £669,000 (£2.14 million) in the six months to end-June, as revenue fell to £34.8 million (£39 million). Earnings per share plunged 69 per cent to 3.53p, against 11.25p last time. The interim dividend is maintained at 2.1p. The shares lost 5p to 135p.

Days Inn joins franchise

DAYS Inn, the American hotel group, will join Ramada and Howard Johnson this year to become the world's largest hotel franchise with 285,000 rooms. Days' owners are putting the 1,200-hotel chain into chapter 11 bankruptcy protection and then selling the trade mark and franchise business to Hospitality Franchise Systems for \$250 million.

Payout halved

Allied Partnership Group reports a pre-tax loss of £487,000 for the first half of this year against a profit of £2.42 million. The dividend is halved to 0.5p.

Profits steady

The Exploration Company, owning nearly 50 per cent of El Oro, reports unchanged pre-tax profits of £1.34 million for six months to end-June. El Oro Mining reports £1.09 million (£1.34 million).

Midland stake

Midland Bank has lifted its stake in WB Industries from 13.67 to 20.25 per cent.

Bank issues guide on drug cash

By OUR BANKING CORRESPONDENT

THE Bank of England has published its third set of guidelines for financial companies on how to guard against money laundering. The volume is part of a campaign by international regulators to stem flows of black market money through the developed world's financial system.

It details various kinds of suspicious transactions, particularly large, irregular cash payments, that should be reported to the National Drug Intelligence Unit. The campaign has boosted bank staff's awareness of drug money laundering. This year, UK banks expect to make 3,000 reports to the unit, half as many again as in 1990.

The extent of money laundering is unknown, but estimates have run as high as \$85 billion. Most is related to drug trafficking, but the proceeds of illegal arms sales are also significant. Most big banks have been used as conduits.

WH Smith bids for rest of Waterstone

By OUR CITY STAFF

WH SMITH, the retail group, has made an offer for the 67.2 per cent of Waterstone & Co, the bookshop chain, that it does not already own. The offer is higher than the terms of the deal outlined by WH Smith in July 1989 when it acquired 32.8 per cent of Waterstone.

WH Smith is offering one new A ordinary share plus 37p in cash for each outstanding Waterstone share. The offer values the Waterstone shares at 480p and the outstanding stake at £25.5 million. In 1989, when it bought its original 32.8 per cent of Waterstone, WH Smith pledged to offer a guaranteed minimum of 450p a share in 1991 or 480p in 1992 or 1993. Waterstone shareholders still have the option of accepting 450p in cash or loan notes for their shares.

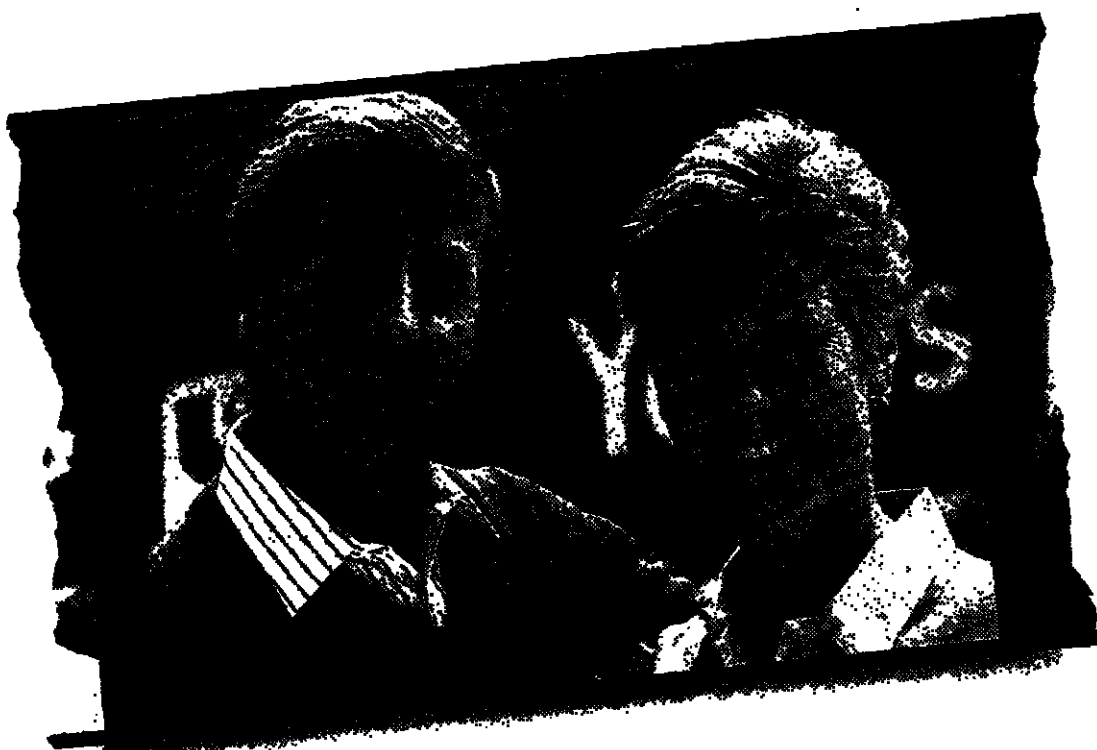
At the time, the deal made Tim Waterstone, the chain's chairman, a paper millionaire ten times over and valued the business at £42.2 million.

Waterstone was merged with Sherratt & Hughes, the bookshop chain WH Smith already owned.

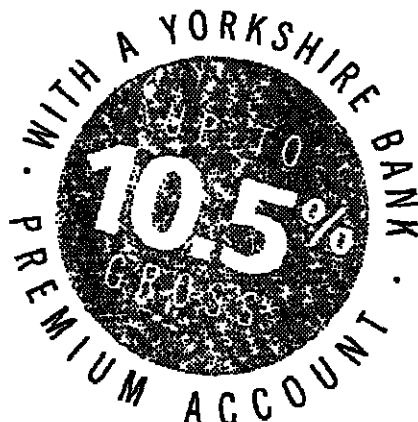
WH Smith said the new offer represented an incentive to shareholders to sell now as the company is keen to acquire all the remaining shares in Waterstone.

There is no significance in the timing of the offer which comes after Mr Waterstone said he would discount the prices of some books in response to price-cutting by his rival, Dillons. Terry Maher, chairman of Pentos, the company that owns Dillons, said the price cuts had increased book sales on Saturday by 13 per cent, compared with the previous Saturday.

Sales of the 20 discounted titles were running five to seven times higher than a week earlier and 50 per cent of the purchasers of discounted titles had bought at least one other book and spent on average an additional £8, the company said.



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Premium Accounts*10.5% gross is paid on balances of £25,000 and above on Three Month Premium Accounts; 9.5% gross is paid on balances between £24,999 and £25,000 and 7.5% gross on balances below £25,000. The minimum opening balance for a Three Month Premium Account is £1,000 and £500 for a One Month Premium Account. The account title indicates the normal period of notice required. If you want to withdraw more than £500, or make more than one withdrawal a month without notice, an interest penalty equivalent to the normal notice period of the account will be incurred. Interest is credited half-yearly.

TESSA The minimum initial deposit is £50 and subsequent deposits £10. The maximum investment is £9,000 over a five-year term. TESSAs are subject to Inland Revenue regulations which may vary. Subject to these regulations, interest, which is credited annually, is exempt from income tax. See our leaflet for full details of eligibility and annual investment limits.

Paymaster Plus 17% gross is paid on balances of £2,500 or more. 4.5% gross is paid on balances between £2,499 and £500 and 2% gross on balances below £500. Interest is credited quarterly.

Yorkshire Bank Financial Services Ltd. is regulated in its investment business by the Securities and Investments Board.

Yorkshire Bank PLC is a member of IMRO.

Rates may vary and are correct at time of going to press. Interest rates are per annum and are paid on whole balances. Gross is the rate before the deduction of basic rate income tax. Interest is paid gross to customers who register as non-taxpayers or non-UK residents and not to all other residents.

It has to be cheap rights for Asda

Asda's rights issue tastes a bit like the chocolate and marshmallow pizzas that graced the shelves of the group's stores earlier this year: cheap but difficult to swallow. It did not help that this week's reheated version had an original sell-by date two years ago, when Asda bought 60 Gateway superstores for £704 million and took on its nagging debt burden. Had the old management followed its financial advisers' suggestion and had a rights issue at that time, Asda would not be in the pickle it now finds itself in.

Patrick Gillam, the able new chairman, was yesterday putting a brave face on what is clearly a rescue package rather than funding for future growth. The £357 million issue is conditional on amendments to the group's banking covenants, which are close to being breached. The changes are likely to be granted but have not yet been agreed.

Mr Gillam argues that Asda is essentially a sound business that allowed its debt, all £931 million of it, to get out of hand. The rights issue and the new banking facilities will therefore solve its

biggest problems. Shareholders, who are being asked to put up more money for a company that has made too many over-optimistic statements in the past, should be asking other questions.

There is still no chief executive, and therefore no new long-term strategy. What will be the terms of the new covenants and what price will the banks exact for them? The warning last month that Asda's profits for 1991-2 would be much worse came at a time when no other supermarket group appeared to be suffering so badly at the operating level. Asda's exposure to non-food markets is part of the reason.

Operating margins fell from 7.4 per cent in 1989 to 5.9 per cent in 1991 at Asda, when Sainsbury and Tesco were moving steadily up. Mr Gillam suggests that is because the group spent money on acquisitions rather than investing in existing stores, but that presents another problem. Asda still has 50 old-

style stores in its portfolio, some more than 20 years old. How is Asda to compete longer term with Sainsbury and Tesco, whose capital expenditure power far outstrips its own? If, as some argue, supermarkets may near saturation point, Asda could be marked as one of the weaker competitors like Gateway, the other debt-laden group with which its future has been absurdly linked.

After much argument last week, the issue has been pitched at a level that crucial institutional investors will now accept, at a large discount to the market price. Given that it has been underwritten, the issue should be approved in a fortnight's time. Some other investors may prefer to cash in their rights and put their money into Sainsbury or Tesco, which may not look such

obvious bargains but have underlying strength and offer more predictable earnings.

Life class

Britain's life assurance and composite insurance companies are lined up to be taken over or lose control to foreign predators. One of their brightest hopes lay in agreeing new principles for valuing profits and therefore assets of life assurance interests that could put something approaching a realistic value in the books.

This hope seems likely to be dashed. Revised proposals from the Association of British Insurers for a statement of recommended practice on accounting life profits have been roundly condemned both by the

Institute of Actuaries and by the Scottish chartered accountants. The English institute will deliver its message on Thursday but may not add much cheer for the ABI or its members. In the face of such influential opposition, approval of an accounting statement would surely be impossible.

The grounds for opposition are sensible. The proposals require assumptions about future investment returns and offer scope for widely different views. Rules for quoted companies would not apply in the same way to mutuals and would move further away from rigid continental practice.

The problems will not go away either. Most, though not all, companies account cautiously but produce quite different figures for embedded value of existing life business or even the imputed value of future business if a takeover bid turns up. Naturally, such figures do not carry the weight many claim they

should. If investors are to have a true guide to the value of life businesses, technical agreement is needed. Those who oppose the ABI proposals are under an obligation to come up with something better that will achieve the same object.

Hot water

There may be some nasty news for investors in water companies when Ian Byatt, the director general of water services, discloses this afternoon how many of the ten are to have their price limits reviewed after failing to agree reductions from those agreed at the time of privatisation. Yorkshire, the only one of the ten to have volunteered to charge less than it might two years running, jumped the gun by announcing it would do the same again, though only by a modest margin. If Mr Byatt has indeed made an agreement with Yorkshire, two or three others may have decided to push the issue on grounds of principle. Investors will not relish the row that is likely to ensue.

Smell of death pervades eastern Germany's chemicals sector

THE place is the darkest hole in central Europe. Driving north from Leipzig for about 20 miles through flat countryside, one notices few road signs, but once headed in the right direction one can hardly fail to reach the destination. Just follow the smell.

The towns of Bitterfeld and Wolfen lie at the centre of the chemical belt of Saxony-Anhalt, Europe's most polluted region. In the early part of this century they were the birthplace of what is now a worldwide chemical industry. With unification, their future has become uncertain.

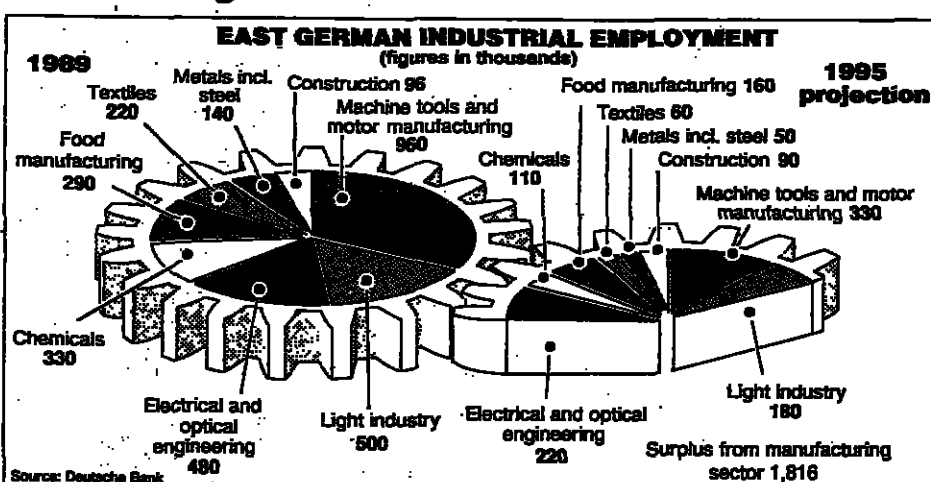
Chemical pollutants have turned out to be more resistant to the political and economic upheavals than the industry itself. During a visit in the spring, Helmut Kohl, the German chancellor, pledged his support for the industry.

This caused much headbanging among managers of the western German chemical companies, who displayed little enthusiasm about the idea, given the downturn they were already experiencing because of worldwide overcapacity, especially in bulk chemicals. They saw little point in even more capacity.

The East German chemical companies produced all the basic bulk products at home in order to stay self-sufficient. This was reflected in the industry's infrastructure, with its huge plants, such as those in Bitterfeld, which stretch for miles on either side of a road, nicknamed by the locals "the road of a thousand smells".

Despite the government pledges, the question is no longer whether the industry can be preserved in its present form, but whether an entirely new chemical industry can be built from scratch. There have been some hopeful signs: the new car plants of Volkswagen and Opel will create some demand for chemicals, notably paints and plastics.

A spokesman for one of Germany's large chemical groups argues that the only chance for the East rests in the exploitation of "regulatory arbitrage". Eastern German



authorities, he said, were more willing to grant licences for chemical plants, and the general social acceptance of chemicals and their products was also much higher than in the West.

Germany has some of the toughest environmental regulations for chemical producers, while the eastern state governments, desperate to find jobs for their voters, might agree to derogations. Wages in the East are also lower, although this asset is diminishing as eastern pay catches up with western levels.

One year after unification, the east

German economy is at rock bottom.

Wolfgang Münchau, in the first of

two articles, assesses the decline of

one of the region's largest industries

Regulatory benevolence and the prospect of an emerging market, at least for some specialty chemicals, are two of the most hopeful factors for new inward investment. Of 60 western investments undertaken, one of the most significant is Bayer's decision to spend DM500 million on a 20-acre site at Bitterfeld to produce polymers and industrial chemicals.

Once operational, however, the plant will create only 500

jobs, a paltry figure when one considers that in 1989 East Germany's chemical industry employed 330,000. Today, despite heavy subsidies, employment has fallen to less than half the 1989 level. Deutsche Bank, in a projection of eastern German industrial employment, estimates the number of jobs will fall to 110,000 by 1995, but this forecast is based on the assumption of continued subsidies.

The Treuhand, the agency in charge of the former East German state combines, has

whether such amounts of money cannot better be spent elsewhere. What makes a genuinely free-market solution difficult, according to the consensus view, is that the chemical industry in eastern Germany is heavily concentrated around the Saxony-Anhalt region, where in 1989 the sector accounted for about 25 per cent of all employment.

The regional impact would be severe, not just on the industry itself, but on other fledgling sectors, including construction and services. Moreover, the political and economic costs of mass closures would be heavy. But while eastern Germany's chemical industry can survive for a while on state subsidies, the tough decisions cannot be postponed indefinitely. The situation is symptomatic of the rest of eastern Germany's industry and the government's reaction.

There are tentative signs of a recovery in the construction and services sector. Construction orders have risen sharply in the wake of public infrastructure spending programmes and interest subsidies to allow private households to modernise their homes. The rise in the services industry is a natural development, considering the low base from which it started.

The real recovery, if and when it happens, will, however, come from private sector investment and not from the retention of old structures or

their modernisation. The chemical industry will play only a small role in this new environment.

Eventually, the Germans will probably achieve their aim and probably faster than many would have thought. But their tendency to throw money at problems in greater measure than many might expect will also mean that the burden will weigh heavily on the whole country for some time.

Tomorrow: Despite optimism over jobs in eastern Germany, unemployment data hide a reality far worse than has been publicly admitted

Rothschild goes back to check his roots



Lord Rothschild: adviser

buy unlimited shares after privatisation.

Investment vouchers for stakes in 6,000 companies have already gone on sale in 5,000 post offices throughout the republic and demand for shares in the key chemical, building, wood and engineering industries is growing.

Witkovice, which employs 33,000 people near the north Moravian capital, Ostrava, has annual sales of £300 million.

During his visit, Lord Rothschild watched the steel being produced and spoke to workers before leaving for Silberovice Castle, his family's former seat. He said: "I think there are good times ahead of us. We would like to take part in the transformation of Witkovice."

Under the restitution laws the Rothschild family is not entitled to get the steelworks back, because it was taken before the communists came to power and because the family received some compensation from the government after the war.

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THE TIMES CITY DIARY

A home from home for Kay

TONY Kay, former specialist insurance salesman at James Capel, has signed up with Charterhouse Tilney. Kay, who spent 15 years at Capel and built up the firm's insurance desk from scratch, joins in November as a specialist salesman based in London. He will be in familiar territory since both firms are subsidiaries of non-English note-issuing banks. Capel's parent, Hongkong and Shanghai Banking Corporation, issues notes in the colony, while Royal Bank of Scotland, which owns Charterhouse, does the same north of the border. At County NatWest, meanwhile, Bob Sample is taking over from John Richards as head of UK Research. Richards returns to his regular pitch as stores analyst.

MICHAEL Woodbine Parish, grandly titled chairman of the El Oro Mining & Exploration company, is as pliant with

this year's interim reports as he has been for the past 53. He begins: "Despite the continuing recession and the Russian acrobatics", and finishes off: "It would be unwise at this stage to say more." Can't wait for this year's annual...

Two into 664

WHO better for the role of ceremonial head of the City of London than an accountant? Such is the lot of Brian

Jenkins, a senior partner of Coopers & Lybrand Deloitte, who has been chosen as the next Lord Mayor of London. History will be made when he takes over from Sir Alexander Graham in November. For Jenkins will be only the second of 664 Lord Mayors to be a past president of the Institute of Chartered Accountants, a position he held in 1985-6. "There was someone in the 1920s who tried to do both jobs and died in the process," says Jenkins, who admits to an interest in old books and large jigsaw puzzles.

Twist in the tale

DENNIS Levine, the convicted insider dealer whose testimony triggered the convictions of white-collar felons Ivan Boesky and Michael Milken, is being sued for \$20 million for allegedly shady business practice. Levine, aged 39, who managed to turn \$39,000 into \$11.6 million through illegal share trades, and was released from prison

in 1988, is currently on tour promoting his new book *Inside Out*. The work is an account of Levine's life as a Wall Street warrior. Lawyers for two property developers served him with court papers as he emerged from a radio chat show in California. They allege he defrauded them of \$400,000 in fees.

Surprise substitute

ONE Manchester United fan who appears to have missed the Reds' 2-1 weekend win over Tottenham Hotspur at White Hart Lane is the chairman, Professor Sir Roland Smith. Ousted from the British Aerospace boardroom during the week, the Prof was a noticeable, if not surprising, absentee from the Spurs directors' box on Saturday. But there were plenty of former chairmen for new boys Alan Sugar and Terry Venables to rub shoulders with. My man in the Spurs lounge claims he even caught a glimpse of one Ernest Saunders.

By JON ASHWORTH



Portfolio PLATINUM

From your Portfolio Platinum card check your eight share price movements on this page only. Add them up to give you your daily dividend figure. If it matches you have won outright or a share of the daily prize money stated. If you win, follow the claim procedure on the back of your card. Always have your card available when claiming. Game rules appear on the back of your card.

No.	Company	Group	Cash at last
1	Cambridge Elec	Electricals	
2	UK Land	Property	
3	Yorkshire Water	Water	
4	Son & New	Breweries	
5	Macro 4	Electricals	
6	Delta	Electricals	
7	Grand Mer	Foodstuffs	
8	TSC	Industrials S-Z	
9	BTR	Industrials A-D	
10	Kwik Save	Foodstuffs	
11	Security Serv	Industrials S-Z	
12	Parsons Sand	Industrials A-D	
13	BET Ord	Industrials A-D	
14	Vadafone	Electricals	
15	Olecon (M)	Building Roads	
16	Paces	Industrials E-K	
17	British Gas	Oil/Gas	
18	THORN EMI	Electricals	
19	Corwell Park 'A'	Industrials A-D	
20	Hadwood Foods	Foodstuffs	
21	Owens Abroad	Leisure	
22	Simon Eng	Industrials S-Z	
23	Qwest Group	Transport	
24	BOC	Industrials A-D	
25	Barr (AG)	Foodstuffs	
26	Capital Radio	Leisure	
27	P & O Del	Transport	
28	Abbey National	Banking/Discount	
29	Williams Hidge	Industrials S-Z	
30	Airways	Building Roads	
31	Pearson	Newspapers/Pub	
32	Capita Gp	Industrials A-D	
33	Sainsbury J	Foodstuffs	
34	Or Portland	Property	
35	RHM	Foodstuffs	
36	NPC	Transport	
37	Thames Water	Water	
38	Whitland 'A'	Motor/Aircraft	
39	Lloyds	Banking/Discount	
40	Sunbelt Beach	Industrials S-Z	
41	Chrysalis	Leisure	

Please take into account any minus signs

Weekly Dividend

Please make a note of your daily totals for the weekly dividend of £4,000 in Saturday's newspaper.

MON	TUE	WED	THU	FRI	SAT	TOTAL

Two readers shared the accumulated Portfolio Platinum prize of £10,000 yesterday. Mr Alan Stewart, of Hartley, Kent, and Mr Alexandros Etheloni, of London N10, each received £5,000.

BRITISH FUNDS

1990/91	High	Low	Stock	Price	Change	%
1	100	95	100	95	-5	-5.0
2	110	105	110	105	-5	-4.5
3	120	115	120	115	-5	-4.2
4	130	125	130	125	-5	-3.8
5	140	135	140	135	-5	-3.6
6	150	145	150	145	-5	-3.3
7	160	155	160	155	-5	-3.1
8	170	165	170	165	-5	-2.9
9	180	175	180	175	-5	-2.8
10	190	185	190	185	-5	-2.6

SHORTS (Under Five Years)

1	100	95	100	95	-5	-5.0
2	110	105	110	105	-5	-4.5
3	120	115	120	115	-5	-4.2
4	130	125	130	125	-5	-3.8
5	140	135	140	135	-5	-3.6
6	150	145	150	145	-5	-3.3
7	160	155	160	155	-5	-3.1
8	170	165	170	165	-5	-2.9
9	180	175	180	175	-5	-2.8
10	190	185	190	185	-5	-2.6

FIVE TO FIFTEEN YEARS

1	100	95	100	95	-5	-5.0
2	110	105	110	105	-5	-4.5
3	120	115	120	115	-5	-4.2
4	130	125	130	125	-5	-3.8
5	140	135	140	135	-5	-3.6
6	150	145	150	145	-5	-3.3
7	160	155	160	155	-5	-3.1
8	170	165	170	165	-5	-2.9
9	180	175	180	175	-5	-2.8
10	190	185	190	185	-5	-2.6

OVER FIFTEEN YEARS

1	100	95	100	95	-5	-5.0
2	110	105	110	105	-5	-4.5
3	120	115	120	115	-5	-4.2
4	130	125	130	125	-5	-3.8
5	140	135	140	135	-5	-3.6
6	150	145	150	145	-5	-3.3
7	160	155	160	155	-5	-3.1
8	170	165	170	165	-5	-2.9
9	180	175	180	175	-5	-2.8
10	190	185	190	185	-5	-2.6

UNDATED

1	100	95	100	95	-5	-5.0
2	110	105	110	105	-5	-4.5
3	120	115	120	115	-5	-4.2
4	130	125	130	125	-5	-3.8
5	140	135	140	135	-5	-3.6
6	150	145	150	145	-5	-3.3
7	160	155	160	155	-5	-3.1
8	170	165	170	165	-5	-2.9
9	180	175	180	175	-5	-2.8
10	190	185	190	185	-5	-2.6

INDEX-UNKE

1	100	95	100	95	-5	-5.0
2	110	105	110	105	-5	-4.5
3	120	115	120	115	-5	-4.2
4	130	125	130	125	-5	-3.8
5	140	135	140	135	-5	-3.6
6	150	145	150	145	-5	-3.3
7	160	155	160	155	-5	-3.1
8	170	165	170	165	-5	-2.9
9	180	175	180	175	-5	-2.8
10	190	185	190	185	-5	-2.6

BANKS, DISCOUNT, HP

1	100	95	100	95	-5	-5.0
2	110	105	110	105	-5	-4.5
3	120	115	120	115	-5	-4.2
4	130	125	130	125	-5	-3.8
5	140	135	140	135	-5	-3.6
6	150	145	150	145	-5	-3.3
7	160	155	160	155	-5	-3.1
8	170	165	170	165	-5	-2.9
9	180	175	180	175	-5	-2.8
10	190	185	190	185	-5	-2.6

ELECTRICALS

1	100	95	100	95	-5	-5.0
2	110	105	110	105	-5	-4.5
3	120	115	120	115	-5	-4.2
4	130	125	130	125	-5	-3.8
5	140	135	140	135	-5	-3.6
6	150	145	150	145	-5	-3.3
7	160	155	160	155	-5	-3.1
8	170	165	170	165	-5	-2.9
9	180	175	180	175	-5	-2.8
10	190	185	190	185	-5	-2.6

STOCK EXCHANGE PRICES

Confident start to account

ACCOUNT DAYS: Dealings began yesterday. Dealings end October 11. Contango day October 14. Settlement day October 21.
 Forward bargains are permitted on two previous business days.
 Prices recorded are at market close. Changes are calculated on the previous day's close, but adjustments are made when a stock is ex-dividend.
 Where one price is quoted, it is a middle price. Changes, yields and price earnings ratios are based on middle prices.

1991 High	Low	Company	Price	Change	%	1991 High	Low	Company	Price	Change	%	1991 High	Low	Company	Price	Change	%	1991 High	Low	Company	Price	Change	%	1991 High	Low	Company	Price	Change	%	1991 High	Low	Company	Price	Change	%
100	95	100	95	-5	-5.0	100	95	100	95	-5	-5.0	100	95	100	95	-5	-5.0	100	95	100	95	-5	-5.0	100	95	100	95	-5	-5.0	100	95	100	95	-5	-5.0
110	105	110	105	-5	-4.5	110	105	110	105	-5	-4.5	110	105	110	105	-5	-4.5	110	105	110	105	-5	-4.5	110	105	110	105	-5	-4.5	110	105	110	105	-5	-4.5
120	115	120	115	-5	-4.2	120	115	120	115	-5	-4.2	120	115	120	115	-5	-4.2	120	115	120	115	-5	-4.2	120	115	120	115	-5	-4.2	120	115	120	115	-5	-4.2
130	125	130	125	-5	-3.8	130	125	130	125	-5	-3.8	130	125	130	125	-5	-3.8	130	125	130	125	-5	-3.8	130	125	130	125	-5	-3.8	130	125	130	125	-5	-3.8
140	135	140	135	-5	-3.6	140	135	140	135	-5	-3.6	140	135	140	135	-5	-3.6	140	135	140	135	-5	-3.6	140	135	140	135	-5	-3.6	140	135	140	135	-5	-3.6
150	145	150	145	-5	-3.3	150	145	150	145	-5	-3.3	150	145	150	145	-5	-3.3	150	145	150	145	-5	-3.3	150	145	150	145	-5	-3.3	150	145	150	145	-5	-3.3
160	155	160	155	-5	-3.1	160	155	160	155	-5	-3.1	160	155	160	155	-5	-3.1	160	155	160	155	-5	-3.1	160	155	160	155	-5	-3.1	160	155	160	155	-5	-3.1
170	165	170	165	-5	-2.9	170	165	170	165	-5	-2.9	170	165	170	165	-5	-2.9	170	165	170	165	-5	-2.9	170	165	170	165	-5	-2.9	170	165	170	165	-5	-2.9
180	175	180	175	-5	-2.8	180	175	180	175	-5	-2.8	180	175	180	175	-5	-2.8	180	175	180	175	-5	-2.8	180	175	180	175	-5	-2.8	180	175	180	175	-5	-2.8
190	185	190	185	-5	-2.6	190	185	190	185	-5	-2.6	190	185	190	185	-5	-2.6	190	185	190	185	-5	-2.6	190	185	190	185	-5	-2.6	190	185	190	185	-5	-2.6

Portfolio PLATINUM

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 DAILY DIVIDEND
 £2,000
 Claims required for +45 points
 Claimants should ring 0254-53272

		High	Low	Company	Price	Chg	%	High	Low	Company	Price	Chg	%	High	Low	Company	Price	Chg	%
146	145	54	54	Put	87	87	0	1.5	2.2	15.0									
147	146	54	54	Put	87	87	0	1.5	2.2	15.0									
148	147	54	54	Put	87	87	0	1.5	2.2	15.0									
149	148	54	54	Put	87	87	0	1.5	2.2	15.0									
150	149	54	54	Put	87	87	0	1.5	2.2	15.0									
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BUSINESS AND FINANCE 27

MONEY MARKETS

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LEGAL APPOINTMENTS

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THE PLANNING ENVIRONMENT

£30,000 - £55,000 package

At the forefront of developments in the increasingly prominent planning and environmental spheres, our Client is one of the UK's pre-eminent property firms. It already has one of the largest planning departments in the country and is seeking a further planning lawyer to join its well established (but refreshingly young) specialist Department.

The work is challenging, high profile and often of national significance, involving planning applications, appeals and inquiries in relation to major projects including large scale energy and waste disposal schemes.

The successful candidate will join a dynamic, friendly team and combine energy and enthusiasm with 2-5 years' relevant experience. The firm is committed to providing the highest level of service to its clients and the lawyer appointed will display both the necessary commercial acumen and the ability to develop client relations.

A highly competitive salary will be matched by excellent prospects in this significant growth area of the firm's practice.

For further information in complete confidence, please contact **Gareth Quarry** on 071-405 6062 (071-228 5345 evenings/weekends) or write to him at **Quarry Dougall Recruitment**, 9 Brownlow Street, London, WC1V 6JD. Initial discussions can be held on a no names basis.



QUARRY DOUGALL

UNITED KINGDOM · HONG KONG · NEW ZEALAND · AUSTRALIA · USA

COMPANY/COMMERCIAL

To £150,000

Our Client, a prominent Top Ten regional firm, benefits from an established and rapidly growing London office. Already acknowledged as possessing a strong corporate/commercial practice, the firm is committed to further investment in London through the appointment of an additional senior corporate partner to head its London Corporate Department. This expansionist outlook is matched by a breadth of client base ranging from publicly quoted national and international household names through to smaller, entrepreneurial private businesses.

Already a partner, the successful candidate will be experienced in a broad range of corporate work embracing M&A, corporate funding, MBOs, MBIs and Stock Exchange transactions and will relish joining a national firm with a reputation for individual expertise combined with team work of the highest quality.

This position offers a unique opportunity to join an environment where City type resources are combined with a more personal atmosphere conducive to individualism and practice development flair. An ability to lead is essential as this appointment will be key to the firm's strategy for future growth in London.

As a result, the partnership package offered will be substantial, commensurate with this position's seniority and the firm's profitability. It will include, where appropriate, an immediate equity partnership.

For further information in complete confidence, please contact **Gareth Quarry** or **Stephen Rodney** on 071-405 6062 (071-354 3079 evenings/weekends) or write to them at **Quarry Dougall Recruitment**, 9 Brownlow Street, London WC1V 6JD. Initial discussions can be held on a no names basis.



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To £55,000 + benefits

Our Client, a global leader in the field of construction and development, continues to enjoy unrivalled growth despite the general market gloom. With a substantial presence in the UK and Europe, it now seeks to appoint a Legal Adviser to advise across its broad spectrum of operations.

Based in London, the role involves advising on the full range of large scale commercial development matters including site acquisitions, project financing, lettings, disposals and consequential commercial matters such as construction contracts, joint ventures and collateral warranties. Construction experience is advantageous but not essential.

The successful candidate, who will have at least four years' commercial property experience and be aged 30-40, should have a strong academic background. Of fundamental importance is a flexible approach and the personality to succeed in this international and dynamic environment. A second European language is highly desirable.

The remuneration package will be highly attractive and includes a car, private health, contributory pension and other benefits.

For further information in complete confidence, please contact **Danielle Ross** on 071-405 6062 (081-444 1293 evenings/weekends) or write to her at **Quarry Dougall Commerce & Industry Recruitment**, 9 Brownlow Street, London WC1V 6JD.



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US FIRM

To £55,000

Our Client, a major and highly successful US law firm, seeks a further ambitious lawyer to join the Banking Department of its established City practice which continues to enjoy dramatic growth.

The firm's London office covers all aspects of mainstream international and domestic finance transactions, embracing syndicated and other loan arrangements, project and structured financing, securitisation and fund work for a diverse range of European, North American and Japanese clients including banks, financial institutions and major corporations.

The successful candidate, who will be English qualified and ideally have around 3 years' relevant experience in a City firm, will be offered exposure to challenging, high calibre work in a dynamic and thriving environment. They will enjoy early responsibility, an extremely competitive premium City salary and excellent prospects. The new Multinational Partnership rules due to come into effect next year make this an outstanding opportunity to create a career in a truly international law firm.

For further information in complete confidence, please contact **Alistair Dougall** on 071-405 6062 (071-831 0030 evenings/weekends) or write to **Quarry Dougall Recruitment**, 9 Brownlow Street, London WC1V 6JD.



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LEGAL NOTICES

Continued from page 17

NOTICE IS HEREBY GIVEN that the following is a list of the names of persons who have been appointed as liquidators of the following companies:

1. **WILLIAMS & WATKINS LTD** (Incorporated in England) (No. 00000000) (Liquidator: Mr. J. H. Smith, 10, Abchurch Lane, London EC4N 3DF).

2. **WILLIAMS & WATKINS LTD** (Incorporated in England) (No. 00000000) (Liquidator: Mr. J. H. Smith, 10, Abchurch Lane, London EC4N 3DF).

3. **WILLIAMS & WATKINS LTD** (Incorporated in England) (No. 00000000) (Liquidator: Mr. J. H. Smith, 10, Abchurch Lane, London EC4N 3DF).

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THE CHAMBERS OF PHILIP WALLER

2 Gray's Inn Square
London WC1R 5AA

These established General Common Law Chambers are seeking to expand to develop existing areas of practice and to strengthen the quality of service offered. Members presently undertake a wide range of work including family to child care, landlord & tenant, personal injuries, contract & commercial and crime. Applications are invited from established practitioners with experience in all or any of the above fields. A leaflet giving further information is available on written request.

Please address all correspondence to the Management Committee. All enquiries will be treated in the strictest confidence.

THE CHAMBERS OF MICHAEL MILLER Q.C. & PETER HORSFIELD Q.C.

8 Stone Buildings, Lincoln's Inn
London WC2A 3TA

Vacancy for Senior Junior or Silk

The structure of these Chambers provides an opening for an able junior of 8-15 years' call (or a recent Silk) within a litigation team dealing with General Chancery, Commercial and Professional Negligence work.

Applications are invited and should be made in writing addressed to Peter Horsfield Q.C. All applications will be treated in the strictest confidence.

GUILDFORD

Help needed for established firm; Assistant required for expanding Civil Litigation Department. Would suit newly qualified Solicitor or Legal Executive. Some general experience in litigation essential plus enthusiasm to develop skills under supervision.

Contact Jane Walters.
Telephone No.
(0483) 302345

PART-TIME SOLICITOR

required urgently. Consumer Credit Act litigation experience preferred. Local practice. Law Personnel 0711 253 1251. Send CV.

COMMERCIAL PROPERTY. Ex-officio regional practice and solicitors with up to 5 yrs relevant PQE & sound academic record. Salary neg. Law Per. 0711 253 1251. Send CV.

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Box No. Dept
1, Virginia St
London
E1 9SD

Hard day's night for very little reward

Frances Gibb highlights the growing pressures of legal aid work as lawyers meet this week to discuss the future of the service

Anthony Edwards was halfway through his morning at the duty solicitor at Thames magistrates' court in east London. He had dealt with two cases, advised in a third and was now mitigating for a defendant who had admitted disorderly behaviour and failing to appear at court.

It was 11am. Mr Edwards had been working since 5.30pm the previous day when he started his night on call as the duty solicitor for four police stations in the area - plus any others where the firm's existing clients might need his services.

During the night he gave telephone advice to two youths arrested for fighting and visited Limehouse police station to see a 67-year-old man accused of entering old people's flats under various guises. At 8pm he was at Snow Hill police station for an alleged fraud case.

A quiet night. "Two or three hours' sleep is common," Mr Edwards says. "One night I did not get to bed at all." The night workload, for which he gets £44.75 an hour, is growing. Mr Edwards estimates the work is up by 50 per cent because of the tighter codes of practice on police detention and questioning.

Ideally, he says, a solicitor should work a proper night shift, not coming in at all in the day, but this could only be done if six hours work a night was guaranteed. Meanwhile, whatever the rate of disruption, the duty solicitor is back at work the next day.

The firm, T.V. Edwards, is in the heart of the East End. The main office, an elegant, listed Georgian building, is near the Blind Beggar pub and next to the Tower Hamlets Mission in Mile End Road, amid numerous shops and fashion wholesalers. "Anybody who opens up here can be flooded with legal aid work," Mr Edwards says.

A glance at the firm's criminal work timetable, making up a third of the business, shows its workload. Ten advocates can be out covering any of four court complexes from Newham to the Guildhall on any day. On one morning in July, 20 cases listed at various courts for 10am had to be covered.

Last year, T.V. Edwards increased its criminal cases by 34 per cent. This enabled it to hold profitability at 13 per cent, "laughable," Mr Edwards says, by City firm



Keeping the wolf from the door: Anthony Edwards, top, and Gill Easty with case notes

standards. "We have learnt to live with it," he adds. Despite this, the firm, like many, is having difficulties. It had a turnover of more than £1 million last year, but has a £175,000 bank overdraft. Earnings taken home by partners this year are on the bank's goodwill. "We have simply run out of cash. More money is going out than coming in," Mr Edwards says. "All seven partners have had to invest more funds in the firm. All the tax reserves have been used up and the bank will not increase the overdraft." Staff at the firm, which employs 14 solicitors, eight trainees, seven legal executives and 30 support staff, have had no pay rise this year. Four support staff have been laid off. A main problem is the "disastrous" cash flow on the civil work side. Criminal work is booming but civil work is being squeezed. Less of it is now covered by legal aid and fewer people, the lawyers say, qualify.

The delay in payments to solicitors, however, is of more immediate impact. "It can be nearly three years before we are paid for a case," Mr Edwards says. "We are owed more than £200,000 from legal aid funds on bills already submitted." Gill Easty, who heads the family law department, points out that, unlike firms with a wealthier client

ele, firms cannot increase the fees of its few private clients to ease the burden. "We charge only about £75 an hour," Mr Edwards says. "It would be unrealistic to charge what City and West End firms would for divorce work."

The harsh irony is that Mr Edwards's firm is trying to match the government's vision of how legal aid should be provided. Two years ago T.V. Edwards decided to expand. The only way to become profitable, it decided, was through high-volume work. The firm had premises at Whitechapel and Harenden, then added offices at Bow and Hackney. At the same time it took on four trainees a year. Paul Garfield, the managing clerk, says: "The problem is we have to deal with people quickly. The pressures push you into being direct, and you cannot give the pastoral side."

Gill Easty, for example, is in the office from 9am until at least 7pm. She has between 200 and 300 cases on her books at a time. She says: "You can cut only so many corners. Beyond that point, you cannot operate. Already I have to say to the client, 'I can do X for you but no more, because legal aid does not cover it. Now please go'. Clients do not understand. You feel as if you are giving an inadequate service."

The Legal Aid Board encourages such growth but gives no financial help to enable firms to buy the necessary technology and computer systems. That, with the delay in payment, stifles any expansion almost at birth.

Mr Edwards says: "Legal aid work can be profitable, albeit at a lower profit margin than most of the profession finds acceptable. With the civil work delays, one has to employ a solicitor for three years before he even justifies himself."

Firms such as T.V. Edwards face other problems. The firm had expanded into housing and immigration law when the government cut legal aid funds for advice in immigration work.

Yet the firm attracts high-quality, dedicated staff, who resent the second-class status accorded to the work. Wendy Cottee, 29, is the firm's in-house advocate. She concentrates on taking all the most difficult trials.

In crime work, however, as in civil work, solicitors have the extra frustration of being denied the same rights as barristers to take cases. "I cannot emphasise how much, as a solicitor doing this work, I am made to feel like a second-class citizen. Yet on a big commitment, I might be up against a senior member of the Bar," Ms Cottee says.

Vincent McAuliffe, a solicitor in family law, joined from a City firm 18 months ago. "Many people regard legal aid firms as doing second-rate

Two or three hours' sleep is common. One night I did not get to bed at all

And still they wait

MORE evidence is emerging of long delays in magistrates' courts, even as the government's statement on the organisation of the courts in England and Wales is still awaited. James Morton drew attention in these pages to delays at Liverpool, where cases were being listed for March. The West Midlands stipendiary, Bruce Morgan, writes in to point out that this month he has listed a 24-hour case for a date 37 weeks ahead and a one-hour case for 34 weeks and three days ahead.

"Twice this year," he says, "I have had before me defendants who have been found guilty or pleaded guilty to offences and not been sentenced, in one case for a period of more than 50 weeks and in the other for a period of more than 60 weeks, although the law states that they should be sentenced within 28 days."

On both occasions the advocate requested the cases be remanded to a further date. He refused.

Mr Morgan also points out that the maximum sentence for taking and driving away a motor vehicle while disqualified is six months, not 12, as we stated last month. The Criminal Justice Act 1988 made the offence summary

INNS AND OUTS

only. About this time, remission was also changed from one third of a sentence to half.

"If a defendant should receive the maximum sentence and at the same time drove the motor vehicle while disqualified, caused criminal damage, drove with excess alcohol and assaulted the police on his arrest, then again the maximum sentence for all these offences is one sentence of six months in total," he says.

Heavyweight

SUCH is the growth of criminal law that the lawyers' bible, Archbold, may now be too heavy to carry. When first published in 1822, it was the size of a small paperback. The 1992 edition consists of more than 2,500 pages in two big volumes, plus supplements and indexes. Its total weight is 9lb. And the cost? £195. The publisher, Sweet and Maxwell, has therefore come up with a solution: a carrying case designed for "easy transportation of the tome."

Child aid

WHAT do Weightwaterbeers, football boots, microphones and baby photos have in common? Ask the Save the

Children Fund, whose Children in Cities campaign has been enthusiastically joined for the second year running by several City and Lincoln's Inn law firms.

The campaign's sole aim is to raise money for children suffering from the problems of urban living, but it is leaving the method to the participants. Charles Russell's family department has kicked off with a sponsored slim and between them shed 79lb, raising £700. Herbert Smith is following a "guess the baby partner" contest with a karaoke night at Coates wine bar. Clifford Chance is staging a three-cities football tournament of teams in its offices. The greatest challenge is surely being faced by Freshfields' lawyers in its Tokyo

office, who plan a sponsored climb of Mount Fuji, to be backed by the rest of the firm's Far East offices.

Moving on

THE move of chambers from the Inns of Court continues. Hard on the heels of sets leaving the Temple, the set of Evan Stone QC is leaving Gray's Inn. The chambers have taken on the whole of a five-floor, Grade II listed building in nearby Bedford Row, where it will have four times the space of the old premises.

The plan is to strengthen its range of services, particularly in commercial and property, family, personal injuries and general common law, expanding from its present total of 30 barristers to about 50.

The move marks more than a year's planning. Not only has the set a discounted rent at £22 a square foot (the chambers expected its Inn rent to rise next year to at least £45), but the refurbishment of the building has been paid for by the landlords, the Bedford Trust. Peter Ralls, the administrative head of chambers, says: "We pointed out that Bedford Row is a natural extension for the Bar, and that we could pave the way."

The trust may not have long to wait. The Bar Council is also contemplating a move to the Row, from Gray's Inn.

SCRIVENOR



Prisons that shame our civilisation

WINSTON Churchill told the House of Commons in 1910 that "the mood and temper of the public in regard to the treatment of crime and criminals is one of the most unfailing tests of civilisation of any country". The white paper, *Custody, Care and Justice: The Way Ahead for the Prison Service in England and Wales*, is a very welcome sign of political recognition that degrading prison conditions deny prisoners their fundamental rights, damage prison security and demean society.

The white paper recognises the failure of successive governments to adopt and maintain humane and decent prison standards. It says: "Buildings were predominantly Victorian. The conditions were Dickensian."

Too many prisoners have been locked in cells for most of the day, without worthwhile work, adequate exercise, nutritious food, or basic sanitation. It took a riot, at Strangeways prison, Manchester, in April 1990, to put prisons on the political agenda. Consistent neglect by politicians for decades ensured that an appalling message was sent to those aggrieved at government policies: if you wish to have your concerns addressed, a riot will assist.

Lord Justice Woolf was appointed to conduct an enquiry into what had occurred and why at Strangeways, and at 25 other penal institutions where inmate riots occurred in April 1990, and how any repetition could be avoided. He enjoyed the valuable assistance of Judge Stephen Tummim, the Chief Inspector of Prisons. The Woolf enquiry was, quite simply, a *tour de force*. The current issue of the *Modern Law Review* includes a fascinating article by Rod Morgan, the professor of criminal justice at Bristol University and one of the assessors who assisted Lord Justice Woolf. He provides an insight into the enquiry's working methods.

An informed enquiry, aware of the large measure of common ground between interested persons, then produced practical and principled proposals for reform. As Woolf explained, security and justice must be the twin pillars of prison administration. They are mutually supportive because to the extent that prisoners are treated in a manner that denies their humanity, the security of the institution will be threatened.

To the credit of the Home Office, the white paper adopts almost all of the Woolf philosophy and most of the proposals for reform. To improve security and control, prisons are to provide programmes for prisoners to keep them usefully occupied

during the working day; opportunities for education and training are to be enhanced; prison conditions are not to cause degradation; prisoners are to be given reasons for decisions. From the most minor proposals (prison staff will wear badges showing their name) to the most fundamental (every prisoner will have access to sanitation by the end of 1994), the white paper expresses a commitment to improving prison conditions.

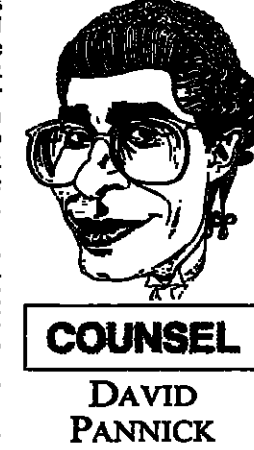
These are valuable reforms. The troubling parts of the white paper are those that suggest that penal reform will not necessarily have a high priority in the provision of the funds required to implement the agenda. The white paper says: "Not everything can be implemented at once. Not everything can be afforded immediately." It lectures that "the provision of resources will depend on the effectiveness with which the prison service makes use of its existing resources and on what the country can afford". No doubt for cost reasons, the white paper contains no commitment, other than in the very long term, to Woolf's recommendation to build community prisons, enabling prisoners to be housed near their families and friends, so as to promote self-respect and to aid return to society at the completion of the sentence.

It does not adopt Woolf's sensible recommendation intended to reduce overcrowding: that there should be a new prison rule to take effect at the end of 1992 to provide that no penal establishment should hold prisoners in excess of its certified normal accommodation. Any substantial derogation would have to be authorised by a certificate issued by the home secretary and laid before Parliament.

Time will tell whether the Home Office really intends to put the necessary resources behind the philosophy of change or whether it will revert to the traditional apathy induced by the lack of votes in penal reform.

In recent years, prison reform has been much advanced by judicial decisions. The European Court of Human Rights and English courts have limited the petty censorship of correspondence, compelled compliance with the prison rules and required the adoption of fair disciplinary procedures. If the Home Office does not provide the funds required to implement the Woolf reforms, the judiciary may show an even greater willingness to apply the principles of fairness, openness, and fundamental decency that form the civilised foundation to the Woolf Report.

● The author is a practising barrister and a fellow of All Souls College, Oxford



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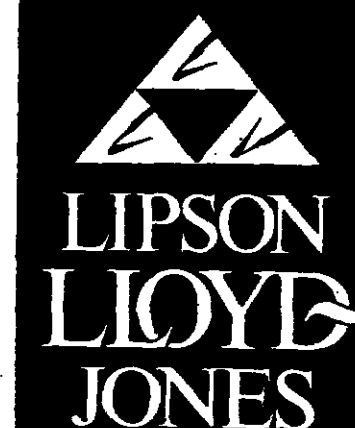
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The case for charity

The announcement last week by Barnados, Britain's largest children's charity, that it is applying to the Charity Commissioners for permission to change its articles of association to remove reference to it as a Christian organisation is an interesting example of lawyers' input to the charities world.

According to Martin Paisner, of Paisner & Co, the City firm, the formulation of a charity's articles of association can be among the most intellectually stimulating work that a lawyer does. As the recent Oxfam case has shown, charities are moving into the grey area that divides charitable from political activity.

"Charity is an evolving concept," Mr Paisner says. "It has only been in the last few years, for example, that promoting good race relations has been regarded as being charitable. I think it is inevitable that if a charity wishes to make an impact, it is going to want to push forward the limits of what is acceptable."

During the 1980s work with

Working for help groups can be particularly stimulating and bring rewards, even if they are not financial. Edward Fennell reports

charities tended to drop in status. The *Legal 500's* commentary, for example, devotes just two sentences to it. If there is any truth in the rumour that the 1990s are more "caring", work for charities could become more highly regarded. The activity is certainly more varied than might be guessed from the exposure it gets.

Mr Paisner says "You are not going to make a lot of money working for charities and I always have some reservations about treating them in the same way as our other clients."

Although many of the leading charities expect, and are able, to pay the normal fees, Colin Howes, a partner with Harbottle & Lewis, agrees that lawyers must be flexible in the way they charge charities. "We do not work for nothing for charities," Mr Howes

says. "In the case of Comic Relief, for example, it is a considerable amount of work. But often, especially with young charities, you could not possibly charge them normal rates."

Harbottle & Lewis's company and commercial department became involved with Comic Relief because of its reputation in show business.

The more usual route is through private client work, in which trust work often provides the background. Jonathan Burchfield, for example, leads the charities sector group at Turner Keane Brown, but it was his trust background that led him into an understanding of the way charities work.

Mr Burchfield says: "To work in it successfully I think you need to have an understanding of the charity culture and be empathetic

to it. You see the personal commitment of the people working in the field and you feel you have to match that. The problem is that some types of lawyers are seen as necessary evils by charities, but I think we can be much more positive than that."

The proposed new Charities Act will tighten up on the regulatory system, and one of the "products" that law firms will offer is a legal audit to ensure that charities are not in breach of the law.

A more far-reaching impact, however, is likely to come from the European Community. "Nowhere else in Europe has the same concept of charities as the UK," Mr Howes says, "so there is going to be much greater difficulty in harmonising legislation."

One of the most difficult areas is likely to be the Social Charter, which may be oppressive for those charities whose employees work on a quasi-volunteer basis.

"I think that lawyers can help the charities to get together to make their voice heard in the lobbies," Mr Burchfield says.

Reports to help the courts may cut prison sentences

Government plans to increase sharply the number of pre-sentence reports prepared by probation officers threaten to cause more trial delays, according to early reports from courts piloting the scheme.

An increase in adjournments has been observed at all five crown courts in the experiment, which began in June. However, court officials, lawyers, probation officers and Crown Prosecution Service staff seem determined to make the system work.

Jim Breda, a lawyer appointed by the Home Office from the Vera Institute of Justice in New York to monitor the experiment, says there is concern about delays but maintains the problems have not been crippling. "All parties seem keen to find a mutually acceptable solution," he says.

Changes introduced by the 1991 Criminal Justice Act mean that from October next year pre-sentence reports will have to be supplied after every guilty verdict in cases triable by magistrates or crown court. The documents, similar to social enquiry reports, will detail offenders' backgrounds and suggest appropriate punishments, generally non-custodial.

At present, courts do not have to call for pre-sentence reports in any instance, although they generally do if defendants have pleaded guilty. They rarely call for them where a prosecution is contested. Last year the probation service in England and Wales wrote 240,000 reports. This total is likely to rise by 25,000 a year.

Ministers say the new system should lead to improved sentencing, although privately they hope it will also mean fewer custodial sentences for non-violent criminals. "The prime objective is the

But probation officers preparing the extra 25,000 pre-sentence files on defendants could hold up cases



John Patten: "Quicker, better"

provision of better and quicker information to the sentence so that he or she can decide the right punishment," John Patten, the Home Office minister, says. "This is likely to reduce the kind of 'rough justice' sometimes meted out to offenders who plead not guilty. At the same time, courts will have much harder-edged information about offenders who deserve prison sentences."

Mr Patten hopes probation officers will have the integrity to suggest prison if they suspect community penalties such as probation or community service will be ineffective.

He adds: "I have often been told by judges who want to use community sanctions more widely for minor criminals that they would be more persuaded of the benefits of such punishment if

they occasionally heard a probation officer recommending a prison term."

The main problem thrown up by the pilot schemes is the lack of immediately available reports where defendants make last-minute guilty pleas or where courts have found offenders guilty in contested trials. In such cases, trials have had to be adjourned for at least several days to give probation officers time for the paperwork.

Ministers accept it is hard for officers to compile reports in advance in contested trials. However, they think the courts could be supplied sometimes with "quickie" probation assessments, though this has found little support from the National Association of Probation Officers.

However, the experiment — being conducted at crown courts in Bristol, Lincoln, Birmingham, Newcastle upon Tyne and Southwark, south London — has also been marked by some singular successes. The Crown Prosecution Service has generally, for example, promptly supplied probation officers with the basic documentary material needed for report-writing: witness statements, exhibits, antecedents, indictments, and police summaries of the alleged offences.

In the main, probation officers are having little difficulty in gaining access to defendants remanded in custody.

Unlike social enquiry reports, pre-sentence reports make conclusions, not recommendations, about sentences. Mr Breda says: "It is a subtle difference, but it reflects the fact that the ultimate responsibility for sentencing falls on judges and magistrates. Only they have all the relevant information."

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Court can heed wishes of child

In re P (a Minor)

Before Lord Justice Neill and Lord Justice Butler-Sloss
[Judgment September 24]

In family proceedings it was the duty of the court when making decisions concerning the future of children to listen to and pay respect to the views of older children.

The wish of a mature and sensible boy aged 14 that was based on sound reasons to go to a day school near to his home rather than take up a place as a boarder at a major public school should be given effect to by an order of the court.

The Court of Appeal so held, after admitting fresh evidence, allowing a father's appeal that sought to vary an order by Judge Watts, QC, sitting as a judge of the High Court on September 2, 1991, who had directed that the boy attend the boarding school.

Mr Nicholas Francis for the father, Mr Philip Moor for the mother.

LORD JUSTICE BUTLER-SLOSS said that it was a difficult and anxious case about the future education and welfare of a boy aged 14 of divorced parents, whether he should, as his mother wished, attend the boarding school, or should continue to live with his father and go to an independent day school. Both were excellent schools but provided a somewhat different approach to children.

It had been a family decision that the boy should have a private school education. The boarding school had been selected and the boy had been awarded a music bursary to attend. The headmaster of his preparatory school was in favour of his going there and the boy himself had been enthusiastic.

However, in July 1991, the mother received a letter from the father's solicitors stating that he could not afford the boarding school fees and that the boy should go to the day school. As a result the mother applied to the court for the future education of the boy to be determined.

The issue before Judge Watts had turned on the father's inability to pay the fees at the boarding school. He was not persuaded that the father could not afford those fees and directed that the boy go to the boarding school.

Mr Francis had not satisfied the court that Judge Watts' decision was wrong. But that was not an end to the matter.

By an amended notice of appeal the father alleged that the judge had failed to pay attention to the boy's own views as to which school he should attend, had not requested a welfare officer's report and had decided not to see the boy.

The judge could not be criticised for not seeing the boy on September 2 he would probably have said that he was reconciled to attending the day school but would have preferred the boarding school.

However, since then the boy had visited the day school and had met the headmaster. His views had changed. Those views were not before Judge Watts. It was new evidence that the Court of Appeal, having the child's welfare in mind, had admitted.

In recent years the courts had become increasingly aware of the importance of listening to the views of older children and taking into account what they said: not necessarily doing what they wanted but paying proper respect to their views. Older children often had an appreciation of their situation that was worthy of being respected by adults and by the courts.

The boy had been seen by the duty welfare officer who had transmitted his views to the court. He had told her that he definitely wanted to attend the day school. His main reason was that he wanted to be with his father as much as possible to make up for the five years when he had lived with his mother.

The court recognised that the boy was now living with his father and was exposed to his father's point of view. He had been placed in a difficult position. However, he seemed a mature and sensible person who had formed his own view of what he wanted to do and why he wanted to do it.

There was something to be said for his going to the neutral territory of a boarding school. Had he been 11 then perhaps that would have been the best course for him. But he was 14 and had formed a firm view based on sensible reasons.

He had lived in an atmosphere of dispute that had had an adverse effect on him. If he was sent as a boarder into totally strange surroundings there was a real danger that he would not do very well.

The case was of utmost difficulty, dealing with the emotions and education of a teenage boy. Ideal though the boarding school might be it would not now do.

The boy's wishes carried such weight as to tip the balance what he asked for in so sensible a way should be the order of the court.

LORD JUSTICE NEILL gave a concurring judgment.

Solicitors: Wedlake Bell; Walker Martin.

Summary count invalidly joined in indictment

Regina v Callaghan
Before Lord Justice Watkins,
Mr Justice Rose and Mr Justice Pill
[Reasons August 13]

A count in an indictment alleging a summary offence purporting to be joined under section 40 of the Criminal Justice Act 1988 but which was not founded on the same facts or evidence as indictable offences could not stand.

The Court of Appeal (Criminal Division) so held in giving its reasons for its decision on August 5 to dismiss an appeal by Terence Alan Callaghan against convictions at Aylesbury Crown Court (Judge Morton-Jack) of

theft, arson and two counts of taking a conveyance without authority but allowing his appeal in so far as it related to a charge of driving while disqualified.

His application for leave to appeal against his 30-month prison sentence was dismissed.

Mr Adrian Redgrave, assigned by the Registrar of Criminal Appeals, for the appellant; Mr Robert Spencer-Bernard for the prosecution.

LORD JUSTICE WATKINS, delivering the judgment of the court, said that on October 1, 1989, the appellant stole and drove a Ford van (count 3). In mid-November, without the consent of the owner he took a conveyance (count 4). On January 3, 1990, the appellant who was disqualified from driving, was stopped by the police while driving a Ford Granada which he admitted having taken without the consent of the owner. He was charged with taking a conveyance without authority (count 5) and driving while disqualified (count 6).

It was now submitted by Mr Redgrave that counts 4, 5 and 6 or alternatively count 6 alone could not lawfully be included in the indictment and because the counts were wrongly joined, the indictment was invalid and the convictions should be quashed.

The offence in count 6 was not founded on the same facts or evidence as the thefts of the Ford van and van in October 1989 and could not be said to be an offence of the same or similar character as those thefts.

It had sufficient link with count 5 but count 5 itself was a summary offence and section 40(1) of the 1988 Act required the necessary link to be with an indictable offence. Count 6 was therefore improperly joined and the conviction on count 6 would be quashed.

Solicitors: CPS, Aylesbury.

placed by the employer for an experienced metal polisher to act as supervisor.

He applied for the job and on April 25, 1989 was told that he was not the person the employers were looking for to fill the position. The appellant felt hurt and discriminated against.

On September 4, a white man was appointed, as supervisor. The appellant spoke to his trade union and commenced proceedings before the industrial tribunal.

The issue came before the tribunal on a preliminary point, the sole issue being the application of section 68 of the Act.

In section 68 the reference to time of "act complained of" indicated the time the act of discrimination and cause of

action were complete.

The tribunal had to consider whether the appellant had had cause of action on 25 April, or whether he had felt he had suffered discrimination. If the cause of action had crystallised on April 25 because of lack of a comparison then the facts of the case it would have crystallised on September 4, when there was a comparison.

If, however, the tribunal found on the evidence that the cause of action had crystallised on April 25, then its approach to the exercise of its discretion under section 68(6) should be to consider whether it was reasonable for the appellant not to have realised that he had a cause of action or that it was unlikely he would succeed without evidence of a comparison.

That was the desirable approach for a tribunal in such a situation.

Mr Mablett in his submissions had given the extreme example of a case involving delay of five years after the original event. That length of delay did not appeal to the Lordship at all. There might be need for a comparison before the cause of action crystallised but such delay should be matter of only a few weeks.

There might be a period of time to take into account such as case would turn on its own facts.

The case would be remitted to either the same or a different tribunal for consideration by them applying the principle laid down above. Whether the appellant would succeed was matter for them.

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Creating a new space age

Landscape architects are responsible for shaping the outdoors, but they do more than design gardens, Bernardine Coverley writes

Shaping the outdoors has its history in the great 18th century landscape designers whose parks and gardens embody proportion and elegance. Today's landscape architect faces much more complex problems and needs a good artistic, engineering and horticultural understanding to integrate roads, housing, factories or historical monuments into the environment. The familiar vandalism of post-war housing estates proves that people need more than utilitarian surroundings. Planning authorities now allow more creativity into the planning process so that the windy, open spaces around tower blocks are a thing of the past. Parks and pedestrian precincts are designed to be a harmonious extension to buildings and as these aesthetic considerations have taken their place alongside the functional, so the scope for landscape architects has increased in the past 15 years. Private and public commissions provide roughly equal amounts of work. A new project begins with preliminary discussions of client needs and an examination of surveys and plans of the existing site. Then comes the working drawings which will be presented and finally a work schedule organised. As well as the obvious background of art, design and natural sciences it is at this stage that the landscape architect needs the abil-

ity to write a cogent report and use high-tech equipment to sell his or her ideas. Modern tools of the trade include the solarscope, which demonstrates the changing amounts of light and shade through the day and the year, and computer-aided design to assess the complementary relationships between people, plants and such utilities as drains. Dee Stamp works for Community Land and Workplace Services (CLAWS), a practice that gives advice to community groups. For her, there is nothing better than seeing people sitting on the grass under the trees in a CLAWS-created open space. "Instead of taking a project away and working on it, we formulate the brief together. We are putting a caravan on the site of a new park for three days so people can come and show us their ideas," she says. Ms Stamp knows that once users are active in the design, often helping with the planting, then they have an interest in keeping the environment beautiful. For the past 11 years Marina Adams has run her own business,

after working for a large firm with six branches. She explains why she believes the profession is so necessary: "The quality of urban space can be very poor, cluttered with an assortment of notices, rubbish bins and odd benches." These practical details affect the enjoyment of people who use the space every day. "You also have to consider the wear and tear on public spaces and the numbers using the site." Areas of special interest, or beauty, can suffer from over-popularity and Mrs Adams believes that dynamic conservation is the answer. Not the arbitrary protection given to the Veterans Monument in Washington - it was surrounded by chains - but "a sympathetic distancing of our parks and cafes with approaches by paths rather than tarmac roads. The landscape architect can enhance the innate character of a place". As an employee of a firm with international experience, Mrs Adams enjoyed the challenge of being involved with large-scale projects. Since then she has worked on landscaping the public space for a

town of 5,000 people in Greece, a sculpture garden and heliport for a disabled client and the creation of a hospice garden giving gentle stimulation with an aviary and sounds of water - she says that gave her particular pleasure. This is the ideal side of the profession. The less satisfying aspect is when designs are not translated into reality. The feasibility study is the bread and butter of many businesses but often gathers dust. A more mundane reality is that, as there is always rubbish to be disposed of, roads to cut and housing built, then the landscape architect will be there too. "We have an impact on large-scale landscape through development control," says David Mills, the leader of Nottinghamshire county council's eight landscape architects. As well as working with other departments on projects, such as creating pleasant centres in mining villages, the team has turned a defence ministry depot into a country park and a business park and received last year's Street Scene Award for work on Workshop town centre. "The advantage of working in one area is that a lot of projects link up and you can see the changes over time," Mr Mills says. ● *Thames Polytechnic, Oakfield Lane, Dartford, Kent DA1 2SZ. The Landscape Institute, 67 Bernard Lane, London SW11 1QU*



Built to last: Robert Shakespeare on one of his projects, an industrial estate in Crawley, West Sussex.

ROBERT Shakespeare, aged 30, is taking the undergraduate course at Thames Polytechnic, which runs for three years with a one-year placement followed by a further year at college. The five years qualify for acceptance by the Institute of Landscape Architects. Now in his year placement, Mr Shakespeare originally wanted to design golf courses but found more depth and interest in a wider horizon. The international element of the profession appeals to him and he has already spent

PROFILE

three months in Hong Kong with a firm working on the proposed new airport. Now he is at a small, long-established private practice in Surrey, which has a commitment to supporting students. "I revise working drawings as briefs are modified and then talk to planning authorities as any changes have to get approval," he says. Then there are site visits:

"You are the one who takes the rap if something collapses." And researching for his book on borders: "You have to think into the future, like who is going to weed this." Mr Shakespeare is also learning the realistic boundaries to each job. "It is salutary to design to a budget and answer to a client about the choices you have made." Despite such limitations, he says there is great job satisfaction. "It is there for everybody to see and enjoy and you are responsible for it."

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For an informal discussion please contact:

ASHLEY WILSON

Director of School of Business Management
University of Newcastle upon Tyne
TEL: (091) 2226000 EXT 8636

or

CHARLES MARSHALL
Chief Executive
Newcastle Health Authority
TEL: (091) 2815011

LIONEL JOYCE
Chief Executive
Newcastle Mental Health Services Trust
TEL: (091) 2850161

Information Pack available from Edward Peck, Health Services Management Unit, School of Business Management, University of Newcastle upon Tyne NE1 7RU Telephone: (091) 2228656 to whom applications should be sent by no later than 20 October 1991.

THE TIMES

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LEGAL ANNOUNCEMENTS

The Chambers of Stephen Coward Q.C. at 2 Crown Office Row, London and Mr Rex Tedd at 7 Fountain Court, Birmingham, have great pleasure in announcing reciprocal Door Tenancies effective from October 1st 1991.

This announcement reflects the existing connection between both sets and it is hoped that the Firms of Solicitors presently instructing each set or who would like to do so will now be given an even greater choice in expertise and experience in most areas of the law.

The Door Tenants at 2 Crown Office Row will be Mr Rex Tedd, Mr Christopher Hotten, Mr William Davis, and Mr James Gibbs.

The Door Tenants at 7 Fountain Court will be Mr David Farrer Q.C., Mr Timothy Barnes Q.C., Mr John Goldring Q.C., Mr Nigel Baker Q.C., Mr Philip Shears, Mr Simon Maskey and Mr Nigel Godsmark.

The Senior Clerks at each set namely Mr Christopher Owen and Mr Stephen Unsworth will be more than happy to discuss any queries with regard to this announcement.

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Manager's brief is federation's first task

New athletics body carries onus of high-level success

By DAVID POWELL, ATHLETICS CORRESPONDENT

ONE year short of its sixtieth birthday, the British Amateur Athletic Board slipped out of existence yesterday. From today, there is a new governing body for British athletics, but the baton change was not perfect. The British Athletic Federation (BAF) has taken over but will have to wait between three and six months for its anchorman to arrive.

Though the BAF has been fashioned as an administrative structure designed to cope with the changes the sport has undergone in the last two decades, it is the decision to appoint a chief executive which has raised hopes that Britain may be ready to stride forward.

Applications for the post have closed and John Lister, the BAAB treasurer, described the response as "very substantial - into three figures". But he said: "I cannot imagine, unless we are extremely lucky, that anyone would be set up to interview and the lines of authority will be defined at that point," Lister said.

The BAAB functioned without a chief executive and it will be a test of the embryonic BAF's nerve how much power it passes to the successful candidate. "A panel will be set up to interview and the lines of authority will be defined at that point," Lister said.

Andy Norman, Britain's influential promotions officer, favours someone from outside the sport. "Someone from industry or commerce who has proved himself, who is strong enough and has sufficient status and courage to sort out a few personalities," Norman said. "I do not think he or she needs to know anything about athletics."

Lister said that the council and management board of the BAF would formulate policy. "We see the chief executive as

heading up the professional management of the sport with very wide responsibilities to implement those policies," he said.

Under the BAF, clubs have direct voting power to elect council members, which they did not have under the BAAB. "It is up to the clubs to take advantage," Tony Ward, the BAAB spokesman, said.

Norman believes that the BAF and its chief executive have a sizeable task ahead. "We have the best domestic television package for athletics anywhere in the world, we have the best domestic international competitive programme, and where does that takes us? We won only one [individual] gold medal at the world championships in Tokyo and one at the previous championships in Rome."

"The two ladies who won them were independent in their preparation. Nobody was responsible for their success apart from the people around them. They won in spite of the structure. The BAF will be elected by the clubs, who expect results in the big championships."

Norman believes the sport should be "stripped to the bones".

Insufficient understanding

"We should be telling the person responsible for shot and discus to go to rugby matches and find guys who are 6ft 4in and tell them they have a chance of international travel and international representation instead of being run-of-the-mill rugby players. If we want pole vaulters we should be going to the gymnastics clubs. Nobody goes out and says, 'Have you thought of doing athletics?' The sport hopes the talent will come to it."



Norman favours outsider

of athletes' needs is one criticism. "A kid comes to a club and gets a coach to help him," Norman said. "He becomes an international and, within a month, he has more knowledge of international athletics than the guy who is helping him, so you've got a problem there."

"We do not have enough people with talent to help athletes achieve. Yet people like Malcolm Arnold, who coached John Akil-Bua and now Colin Jackson, and Bruce Longden, who coached Daley Thompson and now Sally Gunnell, are not used enough. We do not take advantage of the talent we have."

Norman wants the BAF to help educate clubs not to expect athletes to compete for them after international fixtures. "If a lad goes from non-League into the first division, he does not go to Anfield on Saturday and turn out for the pub team on Sunday, but athletics still expects that," Norman said.

He wants better management of human resources. "We will be spending a budget of £1 million on coaching next year and what are we getting for it? We still go for the mass participant, the underdog. We send somebody in every event to championships. We send people who do not have a hope."

"We should be telling the person responsible for shot and discus to go to rugby matches and find guys who are 6ft 4in and tell them they have a chance of international travel and international representation instead of being run-of-the-mill rugby players. If we want pole vaulters we should be going to the gymnastics clubs. Nobody goes out and says, 'Have you thought of doing athletics?' The sport hopes the talent will come to it."



Lip-service: Senna knows Mansell's weakness

Warnings that speak volumes about Senna

By NORMAN HOWELL

NIGEL Mansell's win in the Spanish grand prix on Sunday has projected the world championship through to October 20, when the Briton and Ayrton Senna will do battle once more at the Suzuka race track, which for the last two years has been the scene of controversial incidents that have decided the outcome of the title race.

The tension that has been generated all season between Senna and Mansell has made for great racing. The best moment so far was on Sunday, with the thrilling wheel-to-wheel confrontation on the straight of the newly built Circuito de Catalunya, sparks flying on the asphalt, the cars getting closer and closer.

Mansell made it to the head first. Some felt that Mansell had got a little too close to Senna. Certainly, Senna thought so. "He must realise that taking the kind of risks he does is not right. He must remember that I, too, am fighting for a world championship."

The Brazilian's slow, measured words carried much weight and meaning as he explained that this is the

second time he has warned the British driver about his race behaviour.

This may seem like a case of the man who has always dished out the medicine getting awkward when somebody else gives it back to him. But it would be a serious understatement of the world champion to suggest that he is suddenly suffering from a loss of nerve.

Before the confrontation at 180mph down the home straight of the track, Senna was involved in a fierce battle with Mansell in the drivers' briefing. This was not a great advertisement for Formula One, but it showed that Senna has enough of the street fighter in him to know, at least, how to use the right gutter language.

Senna is also a master of subtle psychological warfare. Why should he warn Mansell twice, and in public? These matters are usually resolved in the air-conditioned privacy of the motorhomes, face-to-face. Is Senna setting the stage for a big showdown in Suzuka?

Twice Senna has been at the centre of unsporting endings

to a season's racing, once the victim, once the culprit of the kind of driving stunts he has been warning Mansell not to indulge in.

Senna, far from whining about Mansell's "frustrating" win, is instead chipping away at his rival's fighting spirit.

If there is a chance to overtake Senna, Mansell will take it, but he may have at the back of his mind what his rival has said. He may remember Prost's car beached in the sand last year, the title gone after a few seconds into the race.

If there is a stunt in Suzuka, and if both drivers end up in the sand trap, there can be only one winner and one world champion: Ayrton Senna.

RESULTS FROM YESTERDAY'S FIVE MEETINGS

Bath

Going good
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Mudaffar to spark a welcome treble for Armstrong team

ROBERT ARMSTRONG will not look back on this season with pleasure for several reasons, the main two being the equine virus, which has played havoc with his plans, and the injury to last season's crack two-year-old Mujtahid, which prevented him from running this term.

However, there is still time to salvage something from the wreckage, beginning at Newcastle today when I expect the Newcastle-based trainer to land a treble with the still considerable help of his brother-in-law, Lester Pigott.

It was Pigott's display on Mudaffar, my selection now for the Newcastle Members Subscription Handicap, that set Doncaster, almost last month. The finish he conjured to win a valuable handicap on Town Moor rolled back the years.

On that occasion he forced Mudaffar up in the closing stages to pip Troupe, who is a leading fancy for Saturday's Cambridgehire Handicap. In that sort of form Mudaffar will be very hard to beat again today and I take him to trigger off a family treble, to be completed by Tate Dancer and Able Quest winning the two divisions of the EBF Polwarth Maiden Stakes.

In pushing Hazm to a head at Sandown last time Tate Dancer ran well enough to suggest that he would be opening his account before long while Able Quest's two

MICHAEL PHILLIPS

performances at Newmarket and Kempton, where he finished third in races won by Profusion and Badie, have been just as promising. Willie Carson is charged with the task of landing my nap though on Subsonic in the Newcastle University Turf Club Handicap. The winner of races in quick succession at Nottingham and Ripon in June, this John Donlop-trained three-year-old was then off the course for three months until he reappeared at Sandown a fortnight ago to run a race that was brimful with promise, finishing third behind the in-form Balesani.

On that occasion he forced Mudaffar up in the closing stages to pip Troupe, who is a leading fancy for Saturday's Cambridgehire Handicap. In that sort of form Mudaffar will be very hard to beat again today and I take him to trigger off a family treble, to be completed by Tate Dancer and Able Quest winning the two divisions of the EBF Polwarth Maiden Stakes.

In pushing Hazm to a head at Sandown last time Tate Dancer ran well enough to suggest that he would be opening his account before long while Able Quest's two

For Carson, a winning ride on Subsonic could also form part of a treble because I also fancy him to win the Newlands Claiming Stakes for David Elsworth on Perfery besides the Long Benton Handicap on Chiliboy, Subsonic's travelling companion from Arundel.

At Brighton, Long Furlong, who landed a gamble when winning a selling handicap at Nottingham eight days ago when racing for the first time for Reg Akhurst's successful Epsom yard, is taken to follow up by capturing the Salford Handicap.

I also like the look of that good apprentice Francis Norton's chance of adding to his steadily mounting total by landing a double there on Don't Leave Me (3.45) and Chelworth (4.15). Don't Leave Me certainly ran well enough behind Keep In Mind and Amer Delham at Nottingham a week ago to suggest that he could be up to winning the Brightlingstone Nursery at the expense of the Queen's runner Harmonious. Finally, Eager Deva should be equal to his task in the Perton Claiming Stakes at Wolverhampton having won the Ruffingham Sprint Handicap at Beverley last with a pound more on his back.

Blinkered first time BRIGHTON: 2.15 Start Respect, 3.45 A Nymph, 4.15 Start Respect, 5.45 A Nymph, 7.15 Start Respect, 8.45 A Nymph, 10.15 Start Respect, 11.45 A Nymph, 13.15 Start Respect, 14.45 A Nymph, 16.15 Start Respect, 17.45 A Nymph, 19.15 Start Respect, 20.45 A Nymph, 22.15 Start Respect, 23.45 A Nymph, 25.15 Start Respect, 26.45 A Nymph, 28.15 Start Respect, 29.45 A Nymph, 31.15 Start Respect, 32.45 A Nymph, 34.15 Start Respect, 35.45 A Nymph, 37.15 Start Respect, 38.45 A Nymph, 40.15 Start Respect, 41.45 A Nymph, 43.15 Start Respect, 44.45 A Nymph, 46.15 Start Respect, 47.45 A Nymph, 49.15 Start Respect, 50.45 A Nymph, 52.15 Start Respect, 53.45 A Nymph, 55.15 Start Respect, 56.45 A Nymph, 58.15 Start Respect, 59.45 A Nymph, 61.15 Start Respect, 62.45 A Nymph, 64.15 Start Respect, 65.45 A Nymph, 67.15 Start Respect, 68.45 A Nymph, 70.15 Start Respect, 71.45 A Nymph, 73.15 Start Respect, 74.45 A Nymph, 76.15 Start Respect, 77.45 A Nymph, 79.15 Start Respect, 80.45 A Nymph, 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Decision to omit Pate from singles leaves Gilford, of Europe, untested and inconsolable

Suggestion of foul play demeans Ryder Cup spirit

From MITCHELL PLATT
GOLF CORRESPONDENT
AT KIAWAH ISLAND

THERE is no need to mourn the loss of the Ryder Cup. It is quite likely, too, that the golden chalice will not return to European hands when the thirty-third match is played at the Belfry in two years' time. The reason for that is the players of both sides are so evenly matched that the contest will forever be close, even if it does not come down again to one agonising inch as it did here on Sunday.

The Ryder Cup is a sporting occasion. The hyperbole is good for the match but there is no place for recriminations. That is why it is best to disregard some accusations, made in the heat of the match, that Dave Stockton, the United States captain, decided that Steve Pate could not play in the singles to ensure his team of at least half a point. If Stockton made an error it was in playing Pate, who was injured in a car crash earlier in the week, in the four-ball matches on Saturday afternoon. It was then that Stockton, such an authoritative leader, dropped his guard and virtually presented Europe with one point. Raymond Floyd had thought he would be playing again but he was left out as Stockton clearly felt he could introduce Wayne Levi and Pate because the United States held a three-point lead. Pate, badly bruised, was clearly in pain.

It was more than a pity that Pate's absence from the singles meant that David Gilford did not get a game. Gilford was inconsolable. One by one, members of the European team visited Gilford, but he was in turmoil with his emotions.

Gilford's first reaction was to think out loud that Pate had been taken out of the match for a half-point. It was an understandable view, but an incorrect one. Gilford would be wiser to look upon this as a learning experience because that is what it was for him and Paul Broadhurst, David

United States

F	G	P	W	H
Chapman	1	1	1	1
Wickham	1	1	1	1
McCormack	1	1	1	1
Wickham	1	1	1	1
Wickham	1	1	1	1
Wickham	1	1	1	1
Wickham	1	1	1	1
Wickham	1	1	1	1
Wickham	1	1	1	1
Wickham	1	1	1	1

Europe

F	G	P	W	H
Chapman	1	1	1	1
Wickham	1	1	1	1
McCormack	1	1	1	1
Wickham	1	1	1	1
Wickham	1	1	1	1
Wickham	1	1	1	1
Wickham	1	1	1	1
Wickham	1	1	1	1
Wickham	1	1	1	1
Wickham	1	1	1	1

Feherty, Colin Montgomerie and Steve Richardson.

All five had their disappointments during the three days of the match. Broadhurst, who played so well in practice, did not get a game until Saturday afternoon. He won two points from two. His exclusion from the three opening series was a bad decision.

Hindsight, however, is a wonderful virtue and Bernard Gallacher, the captain of Europe, admitted he had made mistakes. What captain has not made mistakes? If Europe did concede the match at any point then it was most probably on the first morning. Then Nick Faldo played superbly but Ian Woosnam, his playing partner, did not. Woosnam was out of sorts and it showed. By his own admission, Faldo is best at lifting himself rather than others.

Faldo decided at an early age that team games were not for him. He is a remarkable player who is consumed by the sport to the extent that it is difficult for him to be torn away from concentrating on his own swing. His desire to win was shown again on Friday evening when he went missing. He was found on the driving range as the sun went down still searching for perfection.

If there is something to be

learned in all this then it is that if players are to be rested then it would be better that Faldo missed a foursomes match rather than a fourball. It has to be said that he was not a good chaperone for the luckless Gilford.

Woosnam is an enigma. When the match began he was anything but the ebullient Welshman we have come to know. Such was his demeanour that there was a suggestion of a rift in the camp or, more precisely, a rift between Faldo and Woosnam. It was not the case, although they did lose the two matches they played together.

Then, when the match was over, there was Woosnam, back in the thick of things, as he urged Europe's enthusiastic supporters, who were in high spirits in the patrons' tent, to look forward to 1993.

Gallacher had thought hard about leaving out Woosnam, who was struggling with his game, on the first day, but he could hardly discard the Masters champion. It is to be hoped that in 1993 Woosnam brings his spontaneous energy, and his game, to The Belfry.

Then again, nothing is for certain. Who is to say that Woosnam will be in the team? Mark James, who justified his selection by Gallacher, Sam Torrance and Bernard Langer will find it increasingly difficult with a nucleus of exciting, young players beginning to form.

José María Olazábal is the best of them. His contribution to this match was outstanding, as was that of Severiano Ballesteros. The younger Spaniard, however, has the shots, the strength of character and the *savoir-faire* to become a great champion. For it is as important to have that touch of class off the fairways, as it is on them, as the likes of Sir Henry Cotton and Tony Jacklin proved. Olazábal has it all and the whole of Europe should be proud of that and the performance of the team on the Occident Course.

It was no "war on the shore". It was a wonderful advertisement for golf.



On the waves of success: the US captain, Dave Stockton, displays the Ryder Cup

America's triumph will benefit Ryder Cup

Kiaawah Island

IT WAS good for the Ryder Cup, not just for the Americans, that the United States team won it. Emotionally crushing though it was for poor Bernhard Langer, missing from six feet on the final green of the final round, I would not have shared the European self-satisfaction that would have followed another triumph-by-tie.

When Couples and then Wadkins won their respective singles matches 25 and 26, against Torrance and James—at the climax of the most dramatic three days I have had the fortune to see—the best that could be expected for Europe was another 14-14 finish by Langer beating Irwin. Over three days, the US had predominantly set the pace even when losing Saturday's four-balls by 3½ to 1½.

The Ryder Cup became important, as did the America's Cup, only when America lost it. The toil of getting it

back has taught them something about themselves, about golf, and perhaps a little about life. It takes something out of the ordinary to reduce to tears hard men such as Caldevecchia and Wadkins.

The European team went into the match with the stronger individual reputations, and in defeat one or two of their players, such as Faldo and Woosnam, have come now to reflect on their approach, on why they contributed, relatively, so little in substance and spirit.

Langer, putter *par excellence*, should not feel humiliated by his one errant shot, historic though it will be to his contemporaries. Ballesteros included, would not have wished the moment for themselves. What it did was to encapsulate, yet again, the magic and, at times, the impossibility of this game.

There is no equivalent in sport to the expectation placed upon Langer on the 18th green, just as there is no parallel to the concept of 28-matches-within-a-match. A Davis Cup tie for instance, has a mere five matches.

Dave Stockton, the US captain, spoke truthfully when, drained of all adrenaline, he reflected: "I couldn't say it was an overwhelming success." Anyone who had witnessed the passage of Stockton from pre-match optimism through caution into disappointment and finally transparent anxiety will sympathise. When Langer and Irwin went level to the 18th tee, strong Americans in the press tent departed in search of a beer to steady their nerves.

When I had passed Stockton between 17th tee and green during the Azinger-Olazábal match, his pained demeanour, even with Olazábal off the green in the crowd, was that of Rod Steiger when playing sheriff

and being seven down with eight to play against the Mafia. Under a burning sun and sea wind, Stockton was temporarily ashen. This event *shreds people*.

So does Pete Dye's Ocean Course. If I were to find the \$120 green fee, I would need at the same time a sack of balls, and probably a spade rather than a sand wedge for digging out those balls I did find. Dye's design, scenically and in golf terms, is awesomely beautiful. It is the only course in the world, for a start, with about five miles of unbroken bunkers.

The 18 holes are strung out between sea, sand, and alligator-infested dykes and marshland, some of it artificially created by Dye. After three days and some 60 holes as a spectator, I am numb. The mental and physical concentration demanded of those who played in all five sessions—Azinger, Wadkins, Couples, Ballesteros and Olazábal—must have exceeded in

endurance almost anything in sport. Azinger's drive on Sunday to the 17th—a prospect which, every time, is like making your first parachute jump—was one of many shots of the tournament. Woosnam's wedge from sand rough to three feet at the 17th in Saturday's four-ball, Olazábal's incredible five-iron uphill into the wind to within 25 feet at the 16th on Sunday.

The behaviour of the home crowd was nothing but good humoured. When Langer entered the patrons' tent at dusk nursing his wound, he was greeted by an affectionate American rendering of "There's only one Bernhard Langer".

British riots among the minority but worrying vestiges of Empire Loyalists in search of a new empire. They regretfully raised the level of chauvinism and will be worse in two years' time at The Belfry.

Will Ballesteros be there?

What a figure this Spaniard has been in fashioning the history of the game. The cornerstone of three cup victories, with Olazábal he was again the bulwark of the European team, a truly inspirational figure: that wonderfully expressive, anguished and determined front of thrust forward in front of hunched shoulders, grabbing at his clubs from the bag like an impatient archer. Seve and Olie have been the soul of the European team, young Olazábal this time the stronger of the two.

Because a Ryder Cup tournament teaches you so much, even the luckless Gilford should now be a better player, together with Broadhurst, Feherty, Montgomerie and Richardson.

In 1993, they will have the motivation from defeat that this time fired the Americans. As Woosnam might say in his football parlance, in a memorable match they done great.

AMERICAN FOOTBALL

Accurate Kelly brings Bears sequence to end

By ROBERT KIRLEY

JIM Kelly fired three scoring passes to power the unbeaten Buffalo Bills to a 35-20 win over the Chicago Bears on Sunday on the fifth weekend of the National Football League season.

The Bills, who led the previously undefeated Bears 7-6 at half-time, started slowly but scored two touchdowns in a three-minute stretch in the second half. Curlew Gardner opened the third quarter by fumbling into the end zone but he recovered for a one-yard score. The Bills took a 21-6 lead on their next series when Kelly scored a two-yarder to Butch Rolle. A backup, Rolle has caught ten successive passes for touchdowns, none for more than three yards.

Kelly also threw scoring strikes to Al Edwards (23 yards) and James Lofton (77) on his way to completing 19 of 29 passes for 305 yards. The Bears had won their first four games by a total of 14 points.

The Detroit Lions share first place with the Bears in the National Football Conference Central division. The Lions

relied on 160 yards and three touchdowns from Barry Sanders in a 31-3 win over the Tampa Bay Buccaneers.

Jeff Jaeger booted four field goals (44, 20, 49 and 41 yards) and Ronnie Lott and Roger Craig helped to beat their old club when the Los Angeles Raiders defeated the San Francisco 49ers 12-6. Craig, coming back, led the Raiders' ball-control attack and Lott anchored a defense that intercepted two Steve Young passes and shackled the great receiver Jerry Rice. The 49ers, with two wins and three defeats, have their worst record after five games in nine years.

After an interception by Isiah Holt, Troy Aikman hit Michael Irvin with a 23-yard touchdown pass two minutes from time at the New Orleans Saints' home. New York Giants 21-16. Bobby Hebert found Floyd Turner with scoring lob of 47 and 17 yards, and Dalton Hilliard contributed a 65-yard scoring run to keep the New Orleans Saints unbeaten with a 27-6 decision over the Atlanta Falcons.

RESULTS: Week five: New Orleans 27, Atlanta 6; Buffalo 35, Chicago 20; Dallas 21, NY Giants 16; Detroit 31, Tampa Bay 3; LA Raiders 12, San Francisco 6; Seattle 20, Green Bay 21; NY Jets 41, Miami 22; Phoenix 24, New England 10; Kansas City 14, San Diego 16; Seattle 21, Indianapolis 6; Denver 13, Minnesota 6.

AMERICAN CONFERENCE

East division	W	L	T	PF	PA
Washington Redskins	5	0	0	104	28
Philadelphia Eagles	3	1	0	77	43
Dallas Cowboys	3	2	0	80	42
LA Raiders	3	2	0	80	42
New York Giants	2	3	0	75	84

Central division

Chicago Bears	W	L	T	PF	PA
Detroit Lions	4	1	0	104	85
Minnesota Vikings	3	2	0	80	56
Green Bay Packers	3	2	0	80	56
Tampa Bay Buccaneers	0	5	0	19	100

West division

New Orleans Saints	W	L	T	PF	PA
Los Angeles Rams	3	2	0	73	103
Atlanta Falcons	2	3	0	68	86
San Francisco 49ers	2	3	0	68	86
PI Does not include last night's game Philadelphia at Washington.					

West division

Denver Broncos	W	L	T	PF	PA
Kansas City Chiefs	4	1	0	80	69
Low Angeles Raiders	3	2	0	78	67
San Diego Chargers	0	5	0	76	114

BASKETBALL

Giants dwarfed by cost-cutting

By NICHOLAS HARLING

TRAFFORD, Manchester: Manchester, like Sunderland, are discovering that life in the Carling League can be tough without the financial support that was once readily to hand. Sunderland followed up their previous week's record 66-point defeat to Hemel Hempstead by going down by 44 points at home to Worthing on Saturday.

Manchester's plight is worse now that the consequences of the Gulf War have persuaded their Arab benefactors to place his priorities elsewhere. Trafford Borough Council bailed the club out of its financial predicament in the summer, but Mike Obasoki and Kevin St. Kitts, two of the players who left, could not spare Manchester further indignity when they faced their former colleagues on Saturday.

Obasoki and St. Kitts collected 38 points between them for the Thames Valley Tigers, whom the Manchester coach, Jeff Jones, also coached. The Tigers' 112-72 win left Jones the small comfort of "At least there is a basketball team in Manchester and it will survive".

His one American, Brandt Johnson, sank 22 points against

the club that he, too, nearly served this season, but otherwise Jones is largely dependent on inexperienced youngsters, who have not helped by the fact that three players—Mullings, Ramsey and Bailey, arrived only 20 minutes before tip-off.

Things are likely to get worse before they get better. Manchester's hosts next Sunday are Kingston, whose 87-55 victory at Leicester came with the aid of 19 points from Colin Irish. Beaten 101-92 the following night at Birmingham, Leicester hardly inspire confidence for tomorrow's Koroze Cup visit of Zaragoza.

Of all the Birmingham newcomers, Rice, Simms and Koroze made large contributions to their team's success. As did Phil Styles for Derby in the 108-100 win over Cheshire.

After sinking one meagre basket on his debut the previous week, the 6ft 4in American scored 40 points, the highest of the season, as the Tigers' top scorer, while Gardner ran him close with 31. Landon's first win, 77-71, over Hemel Hempstead, came with the help of 45 points from the Scantlebury brothers.

YACHTING

Barker has last berth

IAN Barker, the former Enterprise world champion, is the final qualifier for next week's national match racing championship (Barry Pickthall writes).

The Northampton sailor beat Peter Iszart in a close-fought final on the last day of preliminary racing at Queen Mary

Reservoir yesterday, and now goes forward to 17 of Britain's top match racers in the four-day championship, which starts next Tuesday.

FINALISTS: 1. Southworth, A. Baskerville, 2. Wadsworth, 3. Wadsworth, 4. Wadsworth, 5. Wadsworth, 6. Wadsworth, 7. Wadsworth, 8. Wadsworth, 9. Wadsworth, 10. Wadsworth, 11. Wadsworth, 12. Wadsworth, 13. Wadsworth, 14. Wadsworth, 15. Wadsworth, 16. Wadsworth, 17. Wadsworth, 18. Wadsworth, 19. Wadsworth, 20. Wadsworth, 21. Wadsworth, 22. Wadsworth, 23. Wadsworth, 24. Wadsworth, 25. Wadsworth, 26. Wadsworth, 27. Wadsworth, 28. Wadsworth, 29. Wadsworth, 30. Wadsworth, 31. Wadsworth, 32. Wadsworth, 33. Wadsworth, 34. Wadsworth, 35. Wadsworth, 36. Wadsworth, 37. Wadsworth, 38. Wadsworth, 39. Wadsworth, 40. Wadsworth, 41. Wadsworth, 42. Wadsworth, 43. Wadsworth, 44. Wadsworth, 45. Wadsworth, 46. Wadsworth, 47. Wadsworth, 48. Wadsworth, 49. Wadsworth, 50. Wadsworth, 51. Wadsworth, 52. Wadsworth, 53. Wadsworth, 54. Wadsworth, 55. Wadsworth, 56. Wadsworth, 57. Wadsworth, 58. Wadsworth, 59. Wadsworth, 60. Wadsworth, 61. Wadsworth, 62. Wadsworth, 63. Wadsworth, 64. Wadsworth, 65. Wadsworth, 66. 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